



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (BA) NO. 803 OF 2025

(Milind S/o Pilaji Dhadade

Vs.

State of Maharashtra, Thr. Police Station In-charge, Police Station
Khaperkheda, District Nagpur.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. Tejal A. Agre, Advocate for the Applicant.
Ms. Sneha Dhote, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 4th AUGUST, 2025

1. The Applicant came to be arrested on 07.01.2025, in connection with Crime No. 14/2025 registered with Police Station Khaperkheda, District Nagpur for the offence punishable under Section 109 of the Bhartiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of the report lodged by Shankar Maroti Nandurkar on an allegation that on 06.01.2025 when he was sitting alongwith Milind Pilaji Dhadade and Laxman Dhadade near Hanuman Temple. At that time Milind Dhadade came from the right side of the Complainant and assaulted him by means of a knife, due to which the Complainant was grievously injured. At that time, Laxman Dhadade and his uncle admitted the Complainant at Javed Hospital, wherein after taking primary treatment the

Complaint was referred to Meyo Hospital, Nagpur. On the basis of the said report Police have registered the crime against the present Applicant.

3. Heard learned Counsel for the Applicant who submitted that there was a dispute occurred between the present Applicant and the injured when they were attending one religious function on account of the death of the mother of Nikesh Laxman Dhadade and during that quarrel the alleged incident of assaulting the injured has taken place. She submitted that, now the investigation is already completed charge-sheet is already filed, as far as the injury is concerned which is not a life threatening injury, and therefore, the Applicant be released on bail.

4. Learned APP, strongly opposed the said Application and submitted that for a trifle reason the injured was assaulted by the present Applicant. The discharge card shows that the nature of injury is on the vital part of the body and sufficient to cause death in the ordinary course of nature. Thus, considering the act of the present Applicant, the Application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers from which it reveals that for a trifle reason the quarrel took place and subsequently the present Applicant came by preparing himself and gave blow on the vital part of the body. Admittedly, the injured Shankar has sustained the grievous injury on his neck, however, considering the fact that now he is discharged from the

Hospital on 13.01.2025 itself i.e. within 5 to 6 days and there are no other repercussion as far as the injuries are concerned. Now, investigation is already completed and charge-sheet is already filed, further incarceration of the present Applicant is not required. In view of that, the Application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- i.** The Application is **allowed**.
- ii.** The Applicant – Milind S/o Pilaji Dhadade in connection with Crime No.14/2025 registered with Police Station Khaperkheda, District Nagpur for the offence punishable under Section 109 of the Bhartiya Nyaya Sanhita, 2023, be released on bail, on executing P.R. Bond in the sum of Rs.25,000/- (Rs. Twenty Five Thousand) with one solvent surety in the like amount.
- iii.** The Applicant shall not enter into the jurisdiction of the Khaperkheda Police Station till culmination of the trial.
- iv.** The Applicant shall attend the proceedings before the Trial Court without seeking any exemption unless there are exceptional circumstances.

- v. The Applicant shall not induce, threat or promise any witnesses in any manner who are acquainted with the facts of the case either personally or by way of electronic media.
6. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)