



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

CRIMINAL APPLICATION (ABA) NO.247 OF 2025

(Ashru Prakash Kale Vs. The State of Maharashtra thr. PSO Police Station Washim
City, Tah. & Dist. Washim)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. V. A. Lohia, Advocate for Applicant.
Ms. Swati V. Kolhe, APP for Non-Applicant/State.

CORAM: URMILA JOSHI PHALKE, J.

DATE: 2nd MAY, 2025.

1. Apprehending the arrest at the hands of police in connection with Crime No.362/2025 registered with Police Station Washim (City), Tahsil and District Washim for the offences punishable under Sections 115(2), 118(2), 351(2), 351(3) and 352 of the Bharatiya Nyaya Sanhita, 2023, the applicant approached to this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by the wife of the present applicant Pooja Ashruji Kale on an allegation that her marriage with the present applicant performed on 20.06.2021. There was matrimonial dispute between them and since 2023 she is residing at her parents house. It is further alleged that present applicant has developed illicit relations with other lady and on that count he used to abuse and assault her. On 26.03.2025 the present applicant came home and abused the informant and

also assaulted her and therefore, she sustained the injuries below her left eye. 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 due to the domestic dispute, the false FIR is lodged against him. As far as the custodial interrogation is concerned which is not required. In view of that, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed for the same and submitted that considering the informant has sustained a fracture injury. The custodial interrogation of the present applicant is required. In view of that, the application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers, it reveals that due to the matrimonial dispute the present applicant has assaulted his wife. She has sustained the injuries i.e. the fracture noted in the later wall of left ethmoid sinus. Now the informant is already discharged from the hospital. As far as the custodial interrogation is concerned which is not required. The interrogation part can be taken into consideration by imposing certain conditions on the present applicant. In view of that, the application deserves to be allowed. Accordingly I proceed to pass following order:

ORDER

- (i) The application is allowed.

(ii) The applicant – Ashru Prakash Kale shall be released on anticipatory bail in the event of his arrest in connection with Crime No.362/2025 registered with Police Station Washim (City), Tahsil and District Washim for the offences punishable under Sections 115(2), 118(2), 351(2), 351(3) and 352 of the Bharatiya Nyay Sanhita, 2023, on executing P.R. bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall attend the concerned police station once in a week on Monday between 10:00 a.m. to 01:00 p.m. and shall co-operate with the investigating agency.

(iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)