



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

CRIMINAL APPLICATION (ABA) NO.278 OF 2025

(Mangesh Babanrao Deshmukh and another Vs. The State of Maharashtra thr. PSO
Police Station Badnera, Tah. & Dist. Amravati)

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

Court's or Judge's orders.

Mr. M. P. Kariya, Advocate for Applicant.

CORAM: URMILA JOSHI PHALKE, J.

DATE: 24th APRIL, 2025.

1. Heard.
2. Issue notice, returnable after Summer Vacation, 2025.
3. Mr. V. A. Thakare, learned APP waives service of notice on behalf of the non-applicant/State and seeks time to file reply.
4. Apprehending the arrest at the hands of police in connection with Crime No.142/2025 registered with Police Station Badnera, Tahsil and District Amravati for the offences punishable under Sections 118(1), 296, 309(6), 310(2), 351(3) read with Section 3(5) of the Bhartiya Nyay Sanhita, 2023, the applicant approached to this Court for grant of pre-arrest bail.
5. Heard learned counsel for the applicant who submitted that the dispute arose between present applicant and the informant and the other prosecution witnesses on

account of selling of the buffaloes and during that incident both parties members have assaulted each other regarding the said incident two crimes are registered which are the past offence. As far as the present applicant is concerned it is alleged that they assaulted the informant by the accused Sayyed Razique Sayyed Noor by means of fists and kick blows. As far as the custodial interrogation is concerned which is not required as nothing is to be recovered from the present applicant. In view of that, he be protected by granting ad-interim protection.

6. Learned APP strongly opposed for the same on the ground that considering the role attributed to the present applicant that he has assaulted the informant by means of fists and kick blows his custodial interrogation is required.

7. On hearing both the sides and on perusal of the recitals of the FIR it reveals regarding the said incident two crimes are registered which are the past offence. In the said incident both parties members have assaulted each other allegation against the present applicant that assault by fist and kick blows. Admittedly, nothing is to be recovered from the present applicant at this stage, immediate custodial interrogation is not required. In view of that, the prayer for grant of ad-interim protection deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

(i) In the event of the arrest in connection

with Crime No.142/2025 registered with Police Station Badnera, Tahsil and District Amravati for offences punishable under Sections 118(1), 296, 309(6), 310(2), 351(3) read with Section 3(5) of the Bhartiya Nyay Sanhita, 2023, the applicant shall be released on ad-interim anticipatory bail on executing P.R. bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

- (ii) The applicant shall attend the concerned police station once in a week i.e. on Monday between 10:00 a.m. to 01:00 p.m. and shall co-operate with the investigating agency.
- (iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

(URMILA JOSHI-PHALKE, J.)