



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

CRIMINAL APPLICATION (ABA) NO. 313 OF 2025

(Praful s/o Shankarrao Madavi & Anr.

Vs.

State of Maharashtra, Thr. P.S.O. Hinganghat, District Wardha)

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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Mr. N.D. Dawda, Advocate a/w Mr. A.M. Jaltare, Advocate for the Applicants.
Ms. Sneha Dhote, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 18th JUNE, 2025

1. Apprehending the arrest at the hands of police in connection with Crime No.1696/2024 registered with Police Station Hinganghat, District Wardha for the offence punishable under Sections 115(2), 118(2), 296, 3(5), 324(2), of the Bharatiya Nyaya Sanhita, 2023, the Applicants approached this Court for grant of pre arrest bail.

2. Heard learned Counsel for the Applicants, who submit that the cross-complaints are filed regarding the said incident. The alleged incident has taken place due to the sudden turning of the motorcycle near the signal, and thereafter there was hot exchange of words between both the parties and both the party members have assaulted each other. As far as the Applicants are concerned, they have assaulted the informant by means of fist and kick blows. Thus, considering the allegations levelled against the

Applicants and as they have cooperated with the investigating agency, custodial interrogation is not required. In view of it was prayed to confirm the ad interim anticipatory bail.

3. Learned APP strongly opposed the said application and submitted that for a reason, both parties have indulged in the criminal activity i.e. assault on each other and also caused the loss to the other vehicles which were parked there in front of the door. Thus, considering the role of the present Applicants, the prayer for grant of anticipatory bail deserves to be rejected.

4. On hearing both the sides and on perusal of the FIR it reveals that the alleged incident has taken place on reason that one Faijan Khan was riding a two-wheeler vehicle has suddenly turned the vehicle and on that count, there were abuses to each other and during that abuses, the assault was not only made on each other but they have also caused the damage to the other vehicles which were parked. Thus considering this aspect though custodial interrogation is not required but the condition was imposed that they shall deposit the amount of Rs. 20,000/- which they have already deposited and the condition is already complied. In view of that, the prayer for grant of anticipatory bail deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- i. The Application is **allowed**.

- ii. The *ad interim* protection granted to the Applicants by order dated 07.05.2025, is hereby confirmed on the condition that, he shall attend the concerned Police Station once in a week i.e. on every Sunday between 10.00 a.m. and 01.00 p.m. till filing of the charge-sheet and shall cooperate with the investigating agency.
 - iii. The Applicants shall not indulge themselves in similar type of activities. A single incident if reported would lead to cancellation of bail.
 - iv. The Applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.
 - v. The Applicants shall attend the proceedings before the Trial Court without seeking any exemption unless there are exceptional circumstances.
5. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)