



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

CRIMINAL APPLICATION (ABA) NO.333 OF 2025

(Nitin s/o Narayan Nikhade Vs. The State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. P.R. Bhure, Advocate for the applicant.
Mrs. H.N. Prabhu, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MAY 9, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.99/2025 registered with Police Station Hudkeshwar, Nagpur, District Nagpur for the offences punishable under Sections 3(5), 318(4), 335, 336(2), 336(3) and 340 (2) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of anticipatory bail.

2. Learned Counsel for the applicant submitted that the applicant is arraigned as an accused, as the other co-accused has executed the sale-deed in favour of the informant when he was not the owner of the said property and obtained the consideration amount. As far as the allegation against the present applicant is only to the extent that he was present at the time of the registration of the said sale-deed. Thus, considering the same, the custodial interrogation of the present applicant is not

required. In view of that, he be protected by granting ad-interim protection.

3. Learned APP strongly opposed the application and submitted that present applicant was also present when the said plot was shown to the informant. In view of that, his involvement appears to be there, and therefore the prayer for grant of ad-interim protection deserves to be rejected.

4. I have heard learned Counsel for both the sides. Perused the recitals of the FIR, at this stage, only allegation is that he was present when the plot was shown and thereafter he was present at the time of registration of the said sale-deed. Considering the limited role attributed to the present applicant, his immediate custodial interrogation is not required. In view of that, he can be protected by granting ad-interim protection. Accordingly, I proceed to pass the following order:

(i) Issue notice to the non-applicant, returnable after Summer Vacation, 2025.

(ii) Learned APP waives notice for the State and seeks time to file reply.

(iii) In the event of the arrest, the applicant – Nitin s/o Narayan Nikhade in connection with Crime No.99/2025 registered with Police

Station Hudkeshwar, Nagpur, District Nagpur for the offences punishable under Sections 3(5), 318(4), 335, 336(2), 336(3) and 340 (2) of the Bharatiya Nyaya Sanhita, 2023, be released on ad-interim anticipatory bail, on executing PR. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iv) The applicant shall attend the concerned police station once in a week. i.e. on every Monday between 10.00 AM and 1.00 PM and shall cooperate with the investigating agency.

(v) The applicant 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.

5. The contravention of any of the condition would lead to the cancellation of bail.

(URMILA JOSHI-PHALKE, J.)