



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

CRIMINAL APPLICATION (ABA) NO. 749/2025

Khushal s/o. Averaj Kanoje Vs. State of Maharashtra

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

Court's or Judge's orders

Mr. H. P. Lingayat, Advocate for the Applicant.
Mr. A. J. Gohokar, A.P.P. for the Non-applicant/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 03/10/2025.

. Heard.

2. Issue notice to the non-applicant, returnable
03.11.2025.

3. The learned A.P.P. waives service of notice for
non-applicant/State.

4. The applicant has apprehension of arrest in
Crime No.396/2024 registered at Police Station Tumsar,
District Bhandara for the offences punishable under
Sections 3(5), 118(2), 316(2), 318(4), 351(2), 352 of the
Bharatiya Nyaya Sanhita, 2023 and Sections 66, 66C, 66D
of the Information Technology Act, 2000.

5. It is the case of the prosecution that Nishant
Santosh Tandekar has lodged the complaint alleging that
the applicant along with other co-accused promised him to
pay and asked him to allow them to operate his account.
The accused were operating the bank account of the
applicant. One day, they told the applicant that his
account is closed. When he enquired with the bank, he
found that his bank account is not closed and substantial
amount was there. He has withdrawn said amount.
Therefore, the applicant along with co-accused called him
at lonely place and assaulted him with fist and blows and

asked him to return the said amount.

6. Initially the N.C. was registered on the complaint lodged by this applicant. Thereafter, it was found that the rod was used and, therefore, the offence under Section 118(2) of the Bharatiya Nyaya Sanhita, 2023 is registered.

7. The learned Counsel for the applicant has stated that this Court has granted anticipatory bail to co-accused. The role played by this applicant is similar. The parity is available in this case.

8. Though the allegations about assault by the rod are against this applicant, the learned Counsel for the applicant has stated that it is improvise statement, and therefore, considering that the co-accused is already protected by granting anticipatory bail by this Court, the applicant is protected by granting *ad interim* anticipatory bail. Accordingly, I pass following order:

i] It is directed that in the event of arrest of the applicant in connection with Crime No.396/2024 registered at Police Station Tumsar, District Bhandara for the offences punishable under Sections 3(5), 118(2), 316(2), 318(4), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023 and Sections 66, 66C, 66D of the Information Technology Act, 2000, he shall be released on bail on furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount.

ii] The applicant shall not in any way tamper with the prosecution evidence.

iii] The applicant shall not pressurize or threaten the prosecution witnesses.

iv] The applicant shall attend the concerned police station twice in a week i.e. on Monday and Saturday between 1:00 p.m. to 2:00 p.m.

v] The applicant shall co-operate the investigation officer.

The protection shall remain in force till next date.

(MRS. VRUSHALI V. JOSHI, J.)