



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 2454 OF 2025

1. ADARSH PRITAM KHANDAGALE (PARDESHI)
2. KRISH SANDEEP BUNDILE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Rajendrraa Deshmukkh, Senior
Advocate a/w. Mr. Harshal Nandre, Mr. Vivekanand Bade i/b.
Mr. Ravindra B. Ade and Mr. Shashank R. Chaudhari
APP for Respondent : Mr. P. P. Dawalkar

...
WITH
CRIMINAL APPLICATION NO. 123 OF 2026 IN BA/2454/2025

YASH S/O. GOVERDHAN TAK
VERSUS
ADARSH PRITAM KHANDAGALE (PARDESHI) AND OTHERS

...
Advocate for Applicant/Assist to APP : Mr. Ashok D. Raut
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 20-01-2026

PER COURT:-

1. The applicants seek regular bail in connection with Crime No.313 of 2025 dated 04.09.2025 registered with Paithan Police Station, District Chhatrapati Sambhajinagar, for the offences punishable under Sections 109, 118(1), 118(2), 126(2), 352, 3(5) of the *Bharatiya Nyaya Sanhita, 2023*. In the said crime, the applicants are arrested on 10.09.2025.
2. The prosecution case is that the informant is doing business of hotel, namely, Yadgar in Maharana Chouk. On 17.07.2025 at

about 7.30 p.m. accused reached to Hotel on account of a dispute relating to adjacent plot premises near their house and entered into the office asking to the informant to leave the plot otherwise kill him and abused and assaulted him with kicks and fist blows.

3. It is further alleged that on 03.09.2025, at about 10.00 p.m., the informant and his friends, Harshal and Avinash, had gone to Annapurna Hotel at Paithan. After finishing meal and retrieving their bikes from the parking area, the applicants and co-accused arrived and restrained the informant. Applicant No. 1 questioned as to why he was not vacating the plot, stating, "Now, I will not leave you alive," and delivered a knife blow to his head. Co-accused Pritam assaulted him with an iron rod. Co-accused Nos. 3 and 4, Ansh and Krish, assaulted the informant on the head and back with wooden sticks. The witnesses, Harshal and Avinash, intervened and attempted to pacify the quarrel. The informant proceeded to the police station. The police issued a medical memo to the informant, and he was taken to the Government Hospital, Paithan, for primary treatment. Subsequently, the report is lodged.

4. Learned counsel for the applicants submits that the applicants have been falsely implicated in the alleged crime. It is contended that the ingredients of Section 109 of the *Bhartiya Nyaya Sanhita* are not attracted. Due to the civil dispute, the informant and his family members are attempting to grab an open

plot that was already purchased by the family of applicant No.1. The civil proceedings regarding the matter are ongoing between the parties. Hence, the Informant implicated the entire family to exert pressure. Further, the investigation is complete and the chargesheet has been filed. Hence, no purpose would be served by keeping the applicants behind the bars.

5. Learned A.P.P. has opposed the bail application, submitting that the offence is serious in nature. The accused, including the present applicants, assaulted the injured with an intent to kill. The prosecution emphasizes the seizure of weapons at the instance of the accused and relied upon the medical report. Hence, submitted that, *prima facie*, the evidence is established against the applicants. Further, the A.P.P. apprehended the possibility of the applicants tampering with the prosecution witnesses if released on bail. Hence, prayed for rejection of the application.

6. Learned Counsel for respondent no. 2 has not opposed the bail application submitting that the parties have mutually resolved the matter.

7. Having heard the respective counsel for the both sides and upon perusal of the record including chargesheet, indicates that there is ongoing civil dispute in relation to the said land between the parties. There are also previous complaints lodged by the present applicants against the informant and family. Moreover,

the injured is also discharged from the hospital and the parties have purportedly, reached an amicable settlement.

8. In view of the aforesaid facts and circumstances coupled with the fact that the chargesheet is filed, no fruitful purpose would be served by keeping the applicants behind the bars. Furthermore, the apprehension expressed by the learned A.P.P, can be adequately taken care of by imposing stringent conditions.

9. Hence, the order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicants No. (1) Adarsh Pritam Khandagale (Pardeshi) and (2) Krish Sandeep Bundile, be released on bail, on furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) each, with one or two local solvent sureties, in the like amount, in connection with Crime No.313 of 2025 dated 04.09.2025 registered with Paithan Police Station, District Chhatrapati Sambhajinagar, for the offences punishable under Sections 109, 118(1), 118(2), 126(2), 352, 3(5) of the *Bharatiya Nyaya Sanhita, 2023*, on the following conditions that;
 - (a) The applicants shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

- (b) The applicants shall attend the trial on each and every date unless exempted by the trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.
 - (c) The applicants shall submit Aadhar or Pan Card to the Investigating Officer and detailed address and phone numbers and two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicants, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iii) Needless to state that the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.
- (iv) Criminal Application No.123 of 2026 stands disposed of.

[SACHIN S. DESHMUKH]
JUDGE