



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2073 OF 2025

Uddhav Sarjerao Kunwar

VERSUS

The State Of Maharashtra

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WITH

CRIMINAL APPLICATION NO. 80 OF 2026

IN

ANTICIPATORY BAIL APPLICATION NO. 2073 OF 2025

...

- Mr. A. S. Sawant, Advocate for Applicant
- Ms. P. J. Bharad, APP for Respondent – State
- Mr. A. A. Kashyap, Advocate for assisting the PP

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CORAM : MEHROZ K. PATHAN, J.

DATED : 05.01.2026

PER COURT :

1. Heard learned counsel for the applicant, the learned APP for the respondent-State, and the learned assisting counsel.
2. The applicant has approached this Court apprehending arrest in connection with FIR No. 267 of 2025 dated 30.10.2025, registered with Parola Police Station, District Jalgaon, for the offences punishable under Sections 118(1), 118(2), 351(2), 3(5) and newly added Section 109(1) of the Bharatiya Nyaya Sanhita, 2023.

3. This Court, vide order dated 01.12.2025, granted interim protection to the applicant subject to conditions, including attendance before the Investigating Officer on specified dates and time.

4. Learned counsel for the applicant submits that the applicant has complied with all the conditions imposed by this Court while granting interim relief. The applicant has attended the Investigating Officer along with his son, who was also issued summons to appear. It is submitted that the applicant has cooperated with the investigation and is ready to continue doing so. It is further submitted that the applicant has been falsely implicated with an intention to wreak vengeance, as the applicant has initiated proceedings under the Negotiable Instruments Act against the present complainant for dishonour of cheque. It is also pointed out that the complainant had earlier lodged NC reports against the applicant. Even as per the allegations in the FIR, the applicant is only suspected to be involved in the assault on the basis that he allegedly threatened the complainant on 29.10.2025. It is submitted that the applicant has no criminal antecedents involving bodily offences, except for certain pending cases relating to cheating. Hence, the applicant prays for continuation of protection.

5. Mr. Kashyap, learned assisting counsel, has filed an application seeking permission to assist the prosecution, along with photographs and copies of NC reports lodged by the complainant against the present applicant. The learned APP has also produced the investigation papers for perusal of this Court. Perusal of the record reveals that the complainant has sustained grievous injuries caused by some unknown persons, as stated in the FIR. The FIR records that since the applicant allegedly threatened the complainant on 29.10.2025, he is suspected to be behind the assault which occurred on 30.10.2025. It is also seen that an NC report was lodged by the complainant in the year 2022 against the present applicant.

6. The contention raised by the learned counsel for the applicant that the proceedings under Section 138 of the Negotiable Instruments Act, initiated by the applicant, are prior in point of time and are pending adjudication before the learned Chief Judicial Magistrate, Dhule, registered as S.C.C. No. 2433 of 2022 on 27.09.2022, appears to be plausible; however, these observations are prima facie in nature. The photographs placed on record depict grievous injuries sustained by the complainant. However, the FIR does not allege the presence of the applicant at the spot at the time of the assault. Further, no other accused has been arrested so far who could disclose any role of the present applicant. In the absence of any concrete material linking the

applicant to the commission of the offence, and considering that the applicant has cooperated with the investigation, I am inclined to protect the applicant.

7. Hence, the following order is passed :-

ORDER

- A) The Anticipatory Bail Application is allowed.
- B) The interim order dated 01.12.2025 is hereby confirmed, with an additional condition that the applicant shall attend the concerned police station and report to the Investigating Officer on every Monday between 12:00 noon and 02:00 p.m. till completion of the investigation and filing of the charge-sheet, and thereafter as and when required.
- C) The Applicant shall also cooperate with the investigation.
- D) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- E) The applicant shall attend each and every date of the trial unless exempted by the Trial Court.
- F) The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with the addresses and mobile numbers of two nearest relatives.

8. Needless to say, violation of any of the aforesaid conditions shall entitle the prosecution to seek cancellation of the anticipatory bail.
9. The observations made herein are prima facie in nature and shall not influence the Trial Court or any other Court while deciding the case on its own merits.
10. In view of the above, the application stands disposed of.
11. Pending applications, if any, also stand disposed of.

(MEHROZ K. PATHAN, J.)