

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.330 OF 2024**

RADHIKA SURAJ NETAKE
VERSUS
YUVRAJ KANTILAL WAGHMARE AND ANOTHER

...
Mr. Priyal Sarada, Advocate a/o Mr. Onkar Bajaj, Advocate for
Applicant
Mr. P. P. Deokar, APP for Respondent No.2/State
Adv. Abhay Jadhavar i/by Shubham Vasekar, for respondent No.1
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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 06TH JANUARY, 2026

PER COURT :

1. By this application filed under Section 439(2) of the Code of Criminal Procedure, applicant seeks cancellation of anticipatory bail granted to respondent No.1 vide order dated 12/07/2024, passed by the Sessions Court at Barshi in Anticipatory Bail Application No.290/2024.

2. Applicant lodged FIR bearing C.R. No.437/2024, registered with Barshi City Police Station for offences punishable under Sections 354, 354B, 323 and 504 of the Indian Penal Code against respondent No.1. In short it is alleged by the applicant that on 25/05/2024 at 10:30 a.m. respondent No.1 rushed towards the applicant and outraged her modesty. He also pushed her and made her fall. He then allegedly kicked her in the stomach and slapped

her.

3. The Sessions Court was pleased to grant anticipatory bail to respondent No.1 observing that there is a dispute between complainant's mother and respondent No.1 regarding construction of house. It is also observed that considering the nature of allegations made against respondent No.1, nothing is to be recovered from him and his custodial interrogation is unwarranted.

4. Perusal of record shows that the Sessions Court has rightly exercised the discretion and no case is made out by the applicant to cancel the anticipatory bail granted by the Sessions Court to respondent No.1. The order passed by the Sessions Court is a well reasoned order. There is no illegality or perversity committed by the Sessions Court in exercising the discretion in favour of respondent No.1. Application being devoid of merits is dismissed.

(NITIN B. SURYAWANSHI, J.)