

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLN. NO. 202 OF 2026

SHREYAS YOGESH JOSHI
VERSUS
THE STATE OF MAHARASHTRA AND ANR.

...
Advocate for Applicant : Mr. Sagar Shinde
APP for Respondent-State : Dr. Ms. A. A. Takalkar
...

CORAM : SACHIN S. DESHMUKH, J.
Date : 27th March, 2026

PER COURT :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 25.09.2025 bearing Crime No. 329 of 2025 registered with Shahapur Police Station, Dist. Kolhapur for the offences punishable under Sections 109, 351(2) (3), 3(5) of the *Bharatiya Nyaya Sanhita*, 2023.

2. The case of the prosecution is that the on 24.09.2025, after returning from work around 21:00 hours, the complainant was informed by his father that their neighbor, maintained pet dogs that had been barking excessively throughout the afternoon. Due to the disturbance, the complainant's father had raised a grievance with applicant's wife. Approximately at 21:30 hours,

applicant, accompanied by his wife and friends, confronted the complainant in front of his residence. Shreyas intimidated the complainant, questioning why he had confronted his wife instead of calling him directly regarding the dogs. At that time, a neighbor named Basavraj Magiri intervened and persuaded Shreyas and his wife to leave. However, around 22:30 hours, Shreyas returned with his mother, Manjiri Joshi, and his friends. Manjiri called the complainant out of his house. When the family stepped outside, Manjiri confronted the complainant, saying, "How dare you speak to my son about the dogs barking?" She then grabbed the Complainant by his collar and slapped him.

3. It is further alleged that following this, Manjiri allegedly incited the group. Activating this provocation, applicant stabbed the complainant below the left ribs with a knife. When the Complainant's father rushed to intervene, one of Shreyas's friends stabbed him in the abdomen, causing serious injury. Upon noticing this, a local resident, approaching to help, the accused, his mother, and their friends, fled the scene. The neighbors immediately transported the Complainant and his father to IGM Hospital, Ichalkaranji, from where they were later shifted to a hospital in Kolhapur for advanced medical treatment.

4. The learned counsel for the applicant submits that the entire incident arose from a trivial neighborly dispute on account of barking of pet dogs. There was no prior enmity or planned conspiracy to commit a crime. The altercation occurred in the heat of the moment following a verbal confrontation. The learned counsel also submits that a co-accused in this crime has already been enlarged on bail. Hence, it is prayed that the application be allowed.

5. The learned APP opposed the application, submitting that the offense is serious in nature and that there is sufficient material on record to establish the applicant's complicity. Furthermore, the APP argued that if the applicant is released on bail, there is every possibility of the prosecution evidence being tampered with. Accordingly, it was prayed that the application be rejected.

6. Upon considering the submissions of both sides and perusing the material on record, including the charge-sheet, it prima facie indicates that the incident was not a pre-planned criminal act but a spontaneous escalation of a trivial neighborhood dispute regarding pet dogs. The sequence of heated arguments occurring shortly before the alleged assault. The act appears to

have been committed in the heat of passion following a sudden quarrel.

7. Furthermore, the co-accused persons in the crime have been enlarged on bail by the Sessions Court. Nevertheless, the investigation is complete for all intent and purpose and the charge-sheet is filed. Having regard to the number witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period.

8. As such, further detention of the applicant as an under trial prisoner, in the circumstances of the case, does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

9. Hence, the following order:

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Shreyas Yogesh Joshi be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in Crime No. 329 of 2025 registered with Shahapur Police Station, Dist. Kolhapur for the offences punishable under Sections 109, 351(2)(3), 3(5) of the *Bharatiya Nyaya Sanhita*,

2023, on the following conditions :-

- (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
 - (b) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
 - (d) Breach of any of the conditions by the applicant would entail the cancellation of the bail.
- (iii) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi