

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 82 OF 2026

Sanjay Sharad Gangnaik

...Applicant

Versus

State Of Maharashtra And Anr.

...Respondents

Mr. Nagesh Y. Chavan a/w Mr. Abhang Suryawanshi, for the Applicant.

Ms. S. N. Deshmukh, APP, for the Respondent-State.

Mr. Ajay Parsekar i/b Mr. Sachin Shetye for the Complainant.

PSI, Mr. Abhijeet M. Bhosale, Malvan Police Station, present.

CORAM : MEHROZ K. PATHAN, J.

DATE : 10th JUNE, 2026.

P.C.

1. Heard learned counsel for the Applicant, learned APP for the Respondent-State, and learned counsel for the Complainant.

2. The Applicant has approached this Court seeking anticipatory bail in connection with Crime No.224 of 2025, under Sections 74, 79, 333, 324(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 registered with Malvan Police Station, Sindhudurg.

3. The case of the prosecution is that the first informant resides alone in House No.2651, Bharad Malvan. It is further alleged

that her grandfather had been residing in the said house for 60 years, thereafter her father resided there, and after his death she is residing there alone. It is further alleged that she is a tenant in the house which stands in the name of Shantaram Harischandra Gangnaik who is uncle of the Applicant. It is further alleged that in 2002 the landlord filed a civil suit (RCS NO.47/2002) against her grandfather, which was dismissed on 10/06/2005, and therefore she claims to be a lawful tenant in respect of the house property. It is also alleged that on 27/12/2025 at about 10:30 a.m., while she was alone at home, the present Applicant (nephew of landlord) came there along with one unknown man and one unknown woman. It is further alleged that the Applicant abused her in obscene language and told her to vacate the house as he wanted to take possession, when she refused, the Applicant caught her hand and forcibly pushed her out of the house. It is further alleged that she got scared and ran to her mother's house situated nearby. Thereafter, the Applicant brought a JCB machine (MH-07-AS-5813) and started demolishing the house in which she was residing. It is further stated that on 30/12/2025 she called one Mahesh Andhari and also dial the emergency number at that time, the accused fled away when police were called but demolition had already taken place and part of her house was demolished. She alleges that her household articles including a silver

Ganpati idol were damaged. With these allegations F.I.R. came to be filed against the present Applicant.

4. The learned counsel for the Applicant submits that the Applicant has been falsely implicated in the present crime. It is contended that the Applicant is a nephew of the original landowner, Shantaram Gangnaik. The complainant wants to grab the property and has therefore filed the false complaint of forcibly taking possession of the property. There are civil disputes pending between the Applicant's uncle and the complainant. Taking into consideration the nature of allegations, the Applicant was protected by interim order dated 10th February, 2026. Thereafter, the Applicant has duly complied with the conditions imposed by this Court and has co-operated with the investigation. The Applicant is further ready to abide by any conditions that may be imposed by this Court. The Applicant is not having any criminal antecedents and is ready to abide by any conditions that may be imposed by this Court. Hence, the application may be allowed by confirming the interim order.

5. As against the learned APP upon instructions from the Investigating Officer present before the Court submits that the Applicant has co-operated with the investigation and has attended the police station in pursuance to the interim order passed by this Court dated 10th February, 2026. The Applicant is not having any criminal

antecedents. The learned APP fairly states that in pursuance to the Applicant having attended the police station, the charge-sheet has been filed in the present crime on 21st March, 2026 against the Applicant.

6. Thus, taking into consideration the nature of the allegations in the first information report and the existence of civil disputes pending between the Applicant's uncle, who is stated to be the landlord and owner of the property in question. The false implication of the Applicant cannot be ruled out at this stage, however these observations are prima facie in nature.

7. Since the investigation has culminated in the filing of the charge-sheet, no further custodial interrogation of the Applicant appears to be necessary. The Applicant has co-operated with the investigation, complied with the interim order passed by this Court, and has no criminal antecedents. In these circumstances, I am inclined to confirm the interim protection granted to the Applicant. Hence, the following order:

ORDER

I. The interim order dated 10th February, 2026 passed by this Court, is hereby confirmed.

II. The Applicant shall not threaten the complainant lady or may not contact with her.

III. A single violation of the conditions imposed by this Court shall entitled the prosecution seek cancellation of bail.

8. The application is allowed and accordingly stands disposed of.

(MEHROZ K. PATHAN, J.)