IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2162 OF 2026

Mahadeo Kisan Jadhav …Applicant

Versus

The State of Maharashtra …Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.2079 OF 2026

Swati Swapnil Jadhav …Applicant

Versus

The State of Maharashtra …Respondent

Ms. Swapna P. Kode, for the Applicants.
Ms. M. R. Tidke, APP, for the Respondent-State.
Mr. Varun Thokal i/b Jayant Bardeskar, for the First informant/Complainant.

CORAM: MADHAV J. JAMDAR, J.
DATED : 05th OCTOBER 2026

PC:-

1. Heard Ms. Kode, learned Counsel appearing for the Applicants, Ms. Tidke, learned APP appearing for the Respondent-State and Mr. Thokal, for the First Informant/Complainant.

2. By the present Application filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* ("**BNSS**"), the

Applicants are seeking pre-arrest bail in connection with C.R. No. 183 of 2026 registered with Junnar Police Station, Pune Rural, Pune for the offences punishable under Sections 118(1), 119(1), 3(5), 324(4) 351(2) and 352 of the *Bhartiya Nyaya Sanhita, 2023* ("**BNS**").

3. It is the submission of Ms. Kode, learned Counsel appearing for the Applicants that the incident has taken place as there is dispute concerning agricultural lands and other issues between the family of the Applicants and the family of the First Informant. She further submits that, in fact, with respect to the same incident, the Applicants' family also wanted to lodge the FIR, however, the FIR has not been registered at their instance. She submits that Applicant- Mahadeo Kisan Jadhav is a senior citizen of 66 years and Applicant- Swati Swapnil Jadhav is lady and house wife. She submits that even as per the prosecution case, the main role is attributed to Swapnil Mahadeo Jadhav. She further submits that the First Informant has abused the Applicant and thereafter N.C.R. are filed on 07th October 2025 and on 28th September 2026. She submits that there are no other antecedents.

4. On the other hand, learned APP and learned Counsel appearing for the Respondent No.2 submits that offence is very serious and therefore, custodial interrogation is necessary. Mr. Thokal, learned Counsel appearing for the Respondent No.2 submits that in fact, another incident has taken place and therefore, N.C.R. has been filed on 28th September 2026. Learned Counsel therefore, submits that application be rejected.

5. The prosecution case is set out in Paragraph No.2 of order dated 02nd July 2026 passed by the learned Additional Sessions Judge, Junnar District, Pune in Criminal Bail Application No.121 of 2026, which reads as under :-

> *2. The prosecution case, in brief, is that there are long-standing civil disputes pending between the family of the informant and the family of the applicants in respect of their ancestral property. On account of the said dispute, relations between the parties are strained. It is alleged that on 12.06.2026 at 7.00 p.m., the applicants, assaulted the informant by means of an iron rod and bamboo stick, causing injuries to him. During the course of the incident, one of the co-accused allegedly snatched the mobile phone of the informant. It is further alleged that the co-accused abused the parents of the informant in filthy language and forcibly snatched the laptop from his hands. The co-accused also damaged the water pipelines installed in the agricultural land belonging to the informant's family, thereby causing loss to them. On the basis of the aforesaid*

allegations, the present crime came to be registered against the applicants and others.

6. As per the prosecution case, the only role attributed to the Applicant- Mahadeo Kisan Jadhav (Accused No.3) is that he has assaulted the injured with the bamboo stick. The assault by iron rod is attributed to Swapnil Mahadeo Jadhav (Accused No.1) and the role attributed to the Applicant-Swati Swapnil Jadhav (Accused No.2) is that she snatched the laptop. There are no other antecedents. The incident has happened as there as dispute over agricultural lands and other issues between the family of the First Informant and the Applicants.

7. Accordingly, in the facts and circumstances, the case is made out for grant of Anticipatory Bail. However, stringent conditions are required to be imposed in view of N.C.R. lodged by both the parties against each other. Hence, the following order is passed:

O R D E R

(a) In the event of arrest of the Applicant (in ABA/2162/2026) - Mahadeo Kisan Jadhav and Applicant (in ABA/2079/2026) - Swati Swapnil Jadhav in connection with C.R. No.183 of 2026

registered with Junnar Police Station, Pune Rural, the Applicants are directed to be released on bail on their furnishing P.R. Bond in the sum of Rs. 30,000/- with one or two solvent sureties in the like amount.

(b) The Applicants shall attend the concerned Police Station on 12th October 2026 and 13th October 2026 between 11:00 a.m. to 01:00 p.m.. Thereafter, the Applicants shall also attend the concerned Police Station once in a 15 days till filing of the chargesheet and shall cooperate with the investigation. In addition, the Applicant shall attend the concerned Police Station as and when called.

(c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.

(d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

(e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

8. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]