IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2591 OF 2026

Dattatray Baban Khandve & Ors. … Applicants

V/s.

State of Maharashtra …. Respondent

PRACHI PRANESH NANDIWADEKAR
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Date: 2026.10.08 11:54:00 +0530

Mr. Sujay Gangal, for the Applicants.

Mr. Swapnil V. Walve, APP, for the Respondent-State.

Mr. Dilip Palve, PSI attached to Vimantal Police Station, Pune City present.

CORAM : MADHAV J. JAMDAR, J.

DATED : 6 OCTOBER 2026

P. C. :-

1. Heard Mr. Gangal, learned Counsel appearing for the Applicant and Mr. Walve, learned APP appearing for the Respondent-State.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Applicants are seeking pre-arrest bail in connection with C.R. No.81 of 2025 registered with Vimantal Police Station, Pune for the offences punishable under Sections 118(1), 115(2), 352, 351(2), 189(2), 190, 119(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 37(1), 37(3), 135 of the Maharashtra Police Act, 1951.

3. The prosecution case is set out in paragraphs 3(c) and 3(d) of the Anticipatory Bail Application. Relevant part of the same reads as under :-

> (c) Thereafter on 13/02/2025 at 21:25 the FIR vide C.R. No. 0081 of 2025 was registered with Vimantal Pune City Police Station for offences 74, 76, 118(1), 115(2), 351(2), 352 of BNS Act 2023. It is alleged by the informant that, he is residing with her husband two sons and father and mother- in-law. The informant is having ancestral property at Wagholi road. It is alleged that, on 13/02/2025 the informant asked the Applicant No. 1 to remove the lock of the main gate as it is time to leave for job. It is alleged that instead of removing the lock, the Applicant No. 1 answered that, you do whatever you want and he went inside his house. It is alleged that again the Informant asked Applicant no. 1 to remove the lock at that time, the Applicant No.1 replied the Informant that why did you barge in to pacify quarrel between me and Lahu Khandve and at that time Applicant No. 1 started quarreling and abusing me on the pretext of the rent we receive on the jointly owned property. It is alleged that at that time Applicant No.1 had torn blouse of the informant and outraged her modesty. It is further alleged that the Applicant No.1 assaulted the informant by means of iron rod on the leg of the informant.
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> d) It is alleged that during the said episode the Applicant No. 2 and 3 were assaulting Informant by hands and also were abusing her. It is alleged that on 12/02/2025 the brother-in- law of the Informant was assaulted by Applicant No.1, who had sustained injuries on his face and was treated at Sasoon Hospital. Thus, the Informant filed the F.I.R vide CR No. 0081 of 2025 registered with Vimantal Pune City Police Station for offences 74,76,118(1), 115 (2), 351(2), 352 of BNS Act 2023.

4. It is the contention of Mr. Gangal, learned counsel appearing for the Applicants that the Applicants and family of the First Informant are close relatives and there is a dispute between two

real brothers regarding ancestral property. He submits that Applicant No.3 has filed F.I.R. being C.R. No.80 of 2025 on 13 February 2025 against the First Informant as also other members of the family of First Informant. As a counter-blast, the present F.I.R. has been filed on the next day. He submits that charge-sheet is already filed. He submits that charge-sheet has also been filed in C.R. No.80 of 2025 registered by Applicant No.3. He submits that there are no other antecedents.

5. On the other hand, learned APP strongly opposes the Application. He submits that the offence is very serious.

6. Perusal of the record shows that there is a dispute between two real brothers i.e., Dattatray Baban Khandave and Ashok Khandave. Even as per the prosecution case, incident took place as there is some dispute which is concerning ancestral property. The injuries are simple in nature. There are no other antecedents.

7. Accordingly, in the facts and circumstances, case is made out for grant of Anticipatory Bail by passing the following order :-

O R D E R

(a) In the event of arrest of the Applicants in connection with C.R. No.81 of 2025 registered with Vimantal

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

(b) The Applicants shall attend the concerned Police Station as and when called and co-operate with the investigation.

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

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

8. The observations made in this order are only for the purpose of considering the anticipatory bail application.

9. Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]