

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1357 OF 2025

1. Chindhu Kacharu Gambhire ...Applicants
2. Amol Bajirao Gambhire
3. Tajas @ Bablu Sahebrao Gambhire

Versus

The State of Maharashtra & Anr. ...Respondents

Mr. Niranjan Mundargi a/w Bhomesh Bellam i/b Anusha Jaibhave, for the Applicants.

Ms. R. V. Newton, APP, for the Respondent-State.

Mr. Rohit Gorade a/w Ankita B. Ugalmugale, for Respondent No.2.

CORAM: MADHAV J. JAMDAR, J.

DATED: 07 JANUARY 2026

P.C.:

1. At the outset, Mr. Mundargi, learned Counsel appearing for the Applicants, states that he has instructions to withdraw the Criminal Application as far as Applicant Nos.2 and 3 are concerned. He submits that however liberty be granted to file fresh Criminal Application.

2. Accordingly, the Criminal Application is allowed to be withdrawn with respect to Applicant Nos.2 and 3, with liberty as sought.

3. It is clarified that this Court has not considered the merits as far as Applicant Nos.2 and 3 are concerned.

4. By the present Criminal Application filed under Section 528 of

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the *Bharatiya Nagarik Suraksha Sanhita, 2023*, the Applicant No.1 i.e. Accused No.7 is seeking setting aside the Order dated 15th November 2025 passed by the learned Additional Sessions Judge, Niphad in Criminal Bail Application No.59 of 2025 (“**impugned Order**”). By the impugned Order the anticipatory bail *inter alia* granted to the Respondent No.3 is cancelled.

5. It is the submission of Mr. Mundargi, learned Counsel for the Applicants that the Applicant No.1 is a senior citizen of 81 years. He submits that the Applicant No.1 will cooperate with the investigation and considering his age the relief as sought be granted.

6. On the other hand, Ms. Newton, learned APP, strongly opposes the Criminal Application. She submits that the offence is very serious and therefore the Criminal Application be dismissed.

7. Mr. Gorade, learned Counsel along with Ms. Ugalmugale, learned Counsel appearing for Respondent No.2 i.e. First Informant, submits that the offence is very serious and in fact at the instigation of the Applicant No.1 the offence took place.

8. Perusal of the record shows that the offence is very serious. However, the Applicant No.1 is a senior citizen of 81 years. The FIR does not indicate that Applicant No.1 has actively participated in the crime. Although, there is a supplementary statement showing the involvement of Applicant No.1 in the crime, considering the age of the

Applicant No.1 and as Mr. Mundargi, learned Counsel for the Applicant has submitted that Applicant No.1 will cooperate with the investigation and considering overall facts and circumstances, the impugned Order dated 15th November 2025 passed by the learned Additional Sessions Judge, Niphad in Criminal Bail Application No.59 of 2025 is set aside only *qua* the Applicant No.1 - Chindhu Kacharu Gambhire.

9. Accordingly, the Criminal Application is disposed of in above terms.

[MADHAV J. JAMDAR, J.]