

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 248 OF 2025

Uli @ Balunath Eknath Waghe ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr.Pandit Kasar for the Applicant.

Mr. Mayur Sonawane, APP for the Respondent-State.

Y.B. Padwale, PSI, Badlapur (East) Police Station, Dist. Thane.

CORAM: R. M. JOSHI, J.

DATED: 21st APRIL, 2026

PC:-

1. Applicant seeks bail in connection with CR No. 124 of 2019 registered with Badlapur Police Station, Dist. Thane for the offences punishable under Sections 307, 341, 324, 504, 506(2), 143, 147, 148 read with 34 of the Indian Penal Code (for short I.P.C.) 1860 and Section 37(1)(3) and 135 of the Maharashtra Police Act 1951.

2. In short, it is the case of the prosecution that on 15.05.2023 an incident occurred in which the informant and

witnesses were assaulted. The First Information Report indicates that on occasion of Haldi program, some disputes arose between informant and others. There is allegation against the accused out of these accused persons two of them was caused assault i.e. Monya and Swapnil. The allegation is that they used Stone and wooden plank to cause assault. In so far the present applicant is concerned there is specific role attributed to him in the crime in question. At the most, it can be said on the basis of the statement recorded during the course of investigation that he used fist and kick blows to cause assault to the injured.

3. Learned counsel for the applicant submits that applicant has no criminal history, he was aged about age of 19 years at the time of occurrence of incident, he is in jail for a period of three years. He therefore, seeks bail.

4. Learned APP opposes the application by pointing out seriousness of the crime and it is also contended that the statements of witnesses indicating the presence of the applicant so also the causing assault to the injured with fist and kick

blows. *Prima-facie*, perusal of the record indicates that the incident in question was not pre- meditated but occurred in spur of moment. It was preceded by the dispute between person present at the spot on account of dancing in the Haldi program. Thus, it cannot be said that accused person came with an intention to cause assault to anyone in particular. As far as the present applicant is concerned there is *prima-facie* no material on record to indicate that he used any weapon to cause assault.

5. In regard to the said facts and in view of the fact that applicant was aged about 19 years at the time of occurrence of incident. Applicant has no criminal history. He is not likely to flee from justice. He therefore, deserves bail.

6. Hence the following Order:-

ORDER

- a) The applicant stand allowed
- b) The Applicant be enlarged on bail in connection with CR No. 124 of 2019 registered with Badlapur Police Station, Dist. Thane on furnishing PR bond of Rs. 15,000/-

with one surety in the like amount to the satisfaction of the Trial Court.

c) The Applicant to attend the Trial Court on each dates of hearing unless exempted by the Trial Court.

7. In view of the above, application is allowed and disposed of.

(R. M. JOSHI, J.)