

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2899 OF 2025**

Pintu alias Sunil Machhindra Pawar	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Himanshu Patil a/w. Ms. Deepti Panadi, for the Applicant.
Mr. S. M. Mangaonkar, APP, for the Respondent-State.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 3rd FEBRUARY 2026**

PC:-

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

2. This application is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail in connection with C.R. No.4 of 2013 registered with Daund Police Station, Pune, for the offences punishable under Sections 307, 353, 379 read with Section 34 of the Indian Penal Code, 1860 and Section 6(2)(A) of the Environment Protection Act, 1986 and Section 48(7) of the Maharashtra Land Revenue Code, 1966.

3. The prosecution case is set out in paragraph No.2 of the order dated 15th December 2023 passed by the learned Additional Sessions Judge, Baramati, District-Pune in Criminal Bail Application No1335 of 2023, which reads as under:

“2. It is the case of prosecution that, on 11/01/2013 at about 05.30 first informant Dadasaheb Maruti Gaikwad, Talathi of village Shirapur received information that, some person are committing theft of sand from the Bhima river near Panavkar vasti, Shirapur with the help of tractor and JCB machine. Therefore, first informant and witnesses came at Bhima river and saw that, one JCB machine is uploading the sand in one tractor. On seeing them applicant/accused and co-accused ran away from the spot. On inspecting the nearby place, at some distance they found one JCB machine. The driver of said machine was present in the JCB machine and on asking him to get down from the vehicle, he did not get down and he abused and threatened first informant to kill and tried to run JCB machine on his person. Thereafter, JCB driver by leaving the machine at the spot left the place. The present applicant/accused was the driver of tractor which involved in the said offence. Therefore, first informant lodged his report against this applicant/accused and co-accused.”

4. It is the submission of Mr. Patil, learned Counsel appearing for the Applicant that from the same incident, two FIRs have been lodged bearing C.R. No.4 of 2013 i.e. subject FIR and C.R. No.9 of 2013. He submits that the Applicant has been arrested in C.R. No.9

of 2013 and therefore, the Applicant has not been arrested in subject FIR i.e. C.R. No.4 of 2013. To substantiate the said contention, he points out page 55, which is the part of the charge-sheet filed in the subject C.R. No.4 of 2013. He submits that in fact, in C.R. No.9 of 2013, the charge-sheet has been filed and the learned Trial Court in corresponding Regular Criminal Case No.73 of 2013 has acquitted the Applicant. On instructions, he submits that there are no antecedents against the Applicant.

5. On the other hand, Mr. Mangaonkar, learned APP strongly opposes the Anticipatory Bail Application. He submits that the incident in question is serious where Public Officer has been assaulted.

6. However, it is required to be noted that the incident in question took place in the year 2013. Even as per the prosecution case, with respect to the said incident, subject C.R. is also filed and C.R. No.9 of 2013 is also filed and the Applicant has been arrested in C.R. No.9 of 2013 and has been released on regular bail. In fact, in the said Regular Criminal Case No.73 of 2013 filed with respect

to C.R. No.9 of 2013, the Applicant has been acquitted by order dated 14th May 2024 passed by the learned J.M.F.C., Dound, Pune.

7. Accordingly, the case is made out for grant of Anticipatory Bail. In view thereof, the following order is passed:

ORDER

- (a) In the event of arrest of the Applicant-Pintu alias Sunil Machhindra Pawar in connection with C.R. No.4 of 2013 registered with the Daund Police Station, Pune, the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the Daund Police Station, Pune, as and when called by the Investigating Officer.
- (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.]

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MILIND
PATIL

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