

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Cri. Anticipatory Bail Application No. 803 of 2026

Prashant Laxman Deshmukh

Age 54, Occ.: Business,

R/o. Deshmukh Wada, Near

Telavne Hospital, Agra Road,

Kalyan (W) – 421 301.

... Applicant

Versus

1. The State of Maharashtra

(Bajarpeth Police Station, Kalyan)

2. Vishal Subramaniam Naidu

Add : Flat No.2, Gauri Apt.,

Gaikar Pada, Kalyan (W).

... Respondents

Mr Dilip P Kamath a/w Mr Sagar Kamath, for the Applicant.

Ms MR Tidke, APP, for Respondent No.1 / State.

Ms Asha Joshi, for the Complainant / Respondent No.2.

PI Dukale, Bajarpeth Police Station, Kalyan, is present.

Coram: R.N. Laddha, J.

Date: 7 April 2026

P.C.:

Heard. At the outset, Mr Dilip Kamath, the learned Counsel appearing on behalf of the applicant, seeks leave to add the informant as a party respondent. Leave granted as prayed for. The necessary amendment shall be carried out

forthwith. Ms Asha Joshi, the learned Counsel appearing on behalf of the newly added respondent No.2/ the complainant, waives service of notice.

2. By this application, the applicant seeks pre-arrest bail in connection with CR No.74 of 2026, registered at Bazarpeth Police Station, Thane City, for offences punishable under Sections 351(2), 352, 115(2), 109(1), 55, 191(2), 189(4), 189(2), 189(1) and 118(2) of the Bharatiya Nyaya Sanhita, 2023, and Sections 37(1)(3) and 135 of the Maharashtra Police Act, 1951.

3. It is the case of the prosecution that on 2 March 2026, at approximately 11:00 p.m., the applicant is alleged to have contacted the informant through one Aniket and, upon the informant returning the call, subjected him to verbal abuse and threats. Although the informant proposed a meeting to resolve the dispute, it was deferred for two days due to the Holi festival. Shortly thereafter, at about 11:30 p.m., the informant encountered the applicant's associates near Sandeep Chinese Centre at Aadharwadi Circle, where the co-accused Pratik Thackeray allegedly struck him on the head with a paver block and Shubham Nade brandished a knife to deter intervention. The co-accused, Sujay Kadam, Akshay Teji, along with other associates, are alleged to have assaulted the informant with fist

blows. As a result of the said assault, the informant sustained injuries.

4. Mr Dilip Kamath, the learned Counsel appearing on behalf of the applicant, asserting the applicant's innocence, contends that the applicant has been falsely implicated in the crime. It is submitted that the applicant was neither present at the spot of the incident nor are there any allegations of assault attributed to him. The applicant is ready to abide by any conditions this Court may deem fit to impose.

5. On the other hand, Ms Manisha Tidke, the learned Additional Public Prosecutor representing respondent No.1/ State, opposes the applicant's request for bail, citing the gravity and seriousness of the offence.

6. Ms Asha Joshi, the learned Counsel appearing on behalf of respondent No.2/ the informant, on instructions, submits that respondent No.1 has no objection to granting bail to the applicant. She further submits that the applicant and Respondent No. 2 were friends, and that at the time of recording his statement, the informant was in severe pain and, due to a misunderstanding, named the applicant. Learned counsel has tendered the informant's consent affidavit dated 7 April 2026, which is taken on record and marked 'X' for

identification.

7. It appears from the record that there are no allegations of assault against the applicant. Respondent No.2, who is present in Court and identified by his Counsel, when questioned, states that he has no objection to granting bail to the applicant and reiterates the contents of his consent affidavit dated 7 April 2026. Given the foregoing, this Court is inclined to grant pre-arrest bail to the applicant. Hence, the following order:

ORDER

- (i) In the event of the applicant's arrest in CR No.74 of 2026, registered at Bazarpeth Police Station, Thane City, he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.
- (ii) The applicant, himself or through any other person, shall not tamper with the evidence or influence witnesses.

8. The application stands disposed of accordingly.

[R.N. Laddha, J.]