

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1111 OF 2026**

Vishal Babu Manchekar

... Applicant

Versus.

The State Of Maharashtra

... Respondent

Ms. Anjali Patil a/w Adv. Tohid Shaikh, for the Applicant.

Mr. Y. M. Nakhawa, APP for the Respondent – State.

P.I. Joglekar Pratibha, Matunga Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 29th April, 2026.

P.C. :

1. Heard Ms. Anjali Patil a/w Adv. Tohid Shaikh for the Applicant and Mr. Y. M. Nakhawa, APP for the Respondent.

2. By the present Application filed under Section 482 of the BNNS 2023, the Applicant is before this Court seeking pre-arrest bail in connection with FIR No. 65 of 2025 registered with the Matunga Police Station (FIR) for offences punishable under Sections 109, 191(1), 118(2), 189(1), 189(2) and 3(5) of the BNS read with Sections 4 and 25 of the Arms Act.

3. The case of the prosecution is that the Kajal Pathare (Informant) i.e. the sister of Kalpesh Pathare (injured), lodged a complaint stating that on 06.03.2025 at about 11.00 p.m., the accused named in the FIR, along with persons accompanying the accused, attacked the informant's house, armed with deadly weapons such as a sword, knife, wooden stick and stumps. The accused and the persons accompanying the accused assaulted the injured with deadly weapons, causing grievous injuries. The complaint further states that the accused and the persons accompanying the accused attempted to commit murder of the injured (Kalpesh Pathare).

4. Ms. Anjali Patil learned Advocate for the Applicant , submits that the Applicant is innocent and that the alleged incident happened during a family dispute. She submits that the Applicant was not named in the FIR but was added to the crime based on the statement made by Kalpesh (injured), recorded three days after the incident. She submits that the Applicant wishes to join the investigation, is ready to participate and is willing to hand over the sword used in the offence. She submits that the FIR lodged by the

Informant is a counterblast of an FIR filed by the co-accused on 06.03.2025. She submits that the injuries sustained by Kalpesh (injured) are essentially simple, except for one grievous injury.

5. After this Court had expressed disinclination, Ms Anjali Patil sought a pass over to take instructions from the Applicant on withdrawal. A request was made to take up the matter after lunch.

6. When this Application was taken post-lunch, Mr. Tohid Shaikh, learned Advocate for the Applicant, appeared and stated that the Applicant requests a decision on merits. He by adopting the arguments advanced by Ms. Anjali Patil, submits that the injury certificate records the alleged incident as 06.03.2025, whereas Kalpesh (injured) was examined on 07.03.2025 at 06:00 pm. He refers to the history column in the injury certificate, stating that the persons who assaulted Kalpesh (injured) are referred to as “unknown persons”. He submits that the Applicant is not seen in the CCTV footage.

7. Mr. Nakhawa, APP submits that the incident is a brutal assault on Kalpesh (injured) and others, using deadly weapons

such as a sword, a knife, wooden sticks and stumps. He submits that there is no CCTV footage referred to by the Investigation Officer. He submits that the Applicant's involvement in the crime is more than established. He submits that the Applicant has criminal antecedents. He submits that the incident took place on 06.03.2025 at 11.00 p.m. and as such, there is no delay in examining the injured or in recording his statement. He states that the Applicant's custodial interrogation is required. He prays that this Application be dismissed.

8. Kalpesh (injured) in his statement, has not only identified the Applicant but has also assigned a specific role to the Applicant. Assault on Kalpesh (injured) is by a lethal weapon (sword). The injuries to Kalpesh (injured) are grievous in nature. Considering the nature of the allegations, the gravity of the offence and the manner in which the assault is alleged, the Applicant is not entitled to any discretionary relief.

9. It is trite law that Anticipatory bail is an exceptional remedy and ought not to be granted in a routine manner.

10. This Application is dismissed.

(ASHWIN D. BHOBE, J.)