

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 156/2026

(Bhushan Mangesh Deshmukh & anr. Vs. State of Maharashtra)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M.N. Hariramani, Advocate for applicants.
Mrs. Mayuri H. Deshmukh, APP for non-applicant/State.

CORAM: M. M. NERLIKAR, J.

DATED : 23/02/2026.

Heard.

2. Orally, the learned counsel seeks leave to amend the prayer clause.

3. Leave granted.

4. Amendment be carried out forthwith.

5. By this application, the learned counsel appearing for the applicant seeks bail in connection with Crime No.623/2025 registered with the Police Station Kuhi, Nagpur for the offence punishable under Sections 109(1), 118(2), 118(1), 191(2), 191(3), 190 of the Bhartiya Nyaya Sanhita, 2023.

6. Brief facts of the prosecution story is that report was lodged by Sau Jayshree Jayram Deshmukh alleging that on 19.10.2025 at about 12:00 noon accused Mangesh Ishwar Deshmukh parked his tractor near their house and

due to obstruction, the mother-in-law of informant namely Indubai and informant's father-in-law Kisan Deshmukh asked him to park the tractor near his own house on that account the wife of accused Mangesh namely Chaya Mangesh Deshmukh initiated the quarrel. It is further alleged that son of Chaya namely Bhushan also arrived on the spot and he pushed Indubai Deshmukh. Thereafter on the same day at about 07:00 pm while the informant was preparing dinner, she heard the quarrel between informant and applicants' family and saw that the present accused Mangesh, his wife Chaya, their sons Bhushan and Aditya and their grandfather namely Ishwar were quarreling with husband of informant Jayram Deshmukh. At that time, accused Bhushan assaulted her husband with iron rod on his back and also hit informant's father-in-law, thereafter when son of informant namely Sameer intervened in the quarrel, Aditya assaulted him with stick on his hand. She further alleged that accused Mangesh assaulted her husband Jayram, father-in-law Kisan, mother-in-law Indubai with iron pipe and thereafter all 5 accused went away. Based on this, present FIR is filed.

7. The learned counsel appearing for the applicants submits that there is contradiction in various statements recorded by the police. It is alleged that the present applicants namely Bhushan Deshmukh and Mangesh Deshmukh have assaulted Jayram and Kisan who are the husband and father-in-law of the informant respectively. According to the learned counsel for the applicants as the injured persons and the family of the present applicants are close relatives, the quarrel took place between them on 19.10.2025 on the trivial issue of parking of the tractor. He submits that there was no intention to inflict the blows on the injured persons, however, after initial quarrel in the afternoon, the second incident took place at 07.00 p.m. on the same day. The applicant No.1 Bhushan is of 21 years and applicant No.2 Mangesh is father of Bhushan, both are agriculturist. Considering the nature of allegations, and the injured being discharged after ten days, so also the applicants were arrested on 21.10.2025 and now that the investigation is over and charge sheet is filed, they may be released on bail. Further he submits that counter FIR was also registered by Chhaya, who is the mother and wife of the present applicants respectively wherein it is alleged

that family of Jayshree Deshmukh who is the informant in the present case started quarrel and thereafter the incident of assault took place.

8. On the other hand, the learned APP vehemently opposes the application and submits that specific role has been attributed to both the applicants who are son and father. She submits that Bhushan has used iron channi and Mangesh has used iron pipe to inflict the blows. Bhushan has inflicted blow with the help of iron channi on Jayram on the back side. However, Mangesh has inflicted blows on Jayram as well as Kisan and so also on the mother-in-law of the informant. She has invited my attention to the injury certificates, wherein one injury was shown on Jayram i.e. CLW of size 3 cm x 2 cm x muscle deep on left region. She further invited my attention to the other injury certificate of Kisan, wherein four injuries are shown. Out of which first injury i.e. CLW 4 cm x 3 x muscle deep is shown as grievous and other injuries are shown simple. Another injury certificate of Indubai Kisan Deshmukh shows simple injuries. She has also invited my attention to the statement of Jayram, wherein he specifically stated that Bhushan Deshmukh has given blow with the help of iron

rod on the head, back side, so also on the legs. Even there are allegations against Mangesh Deshmukh of assaulting Jayram. Again the statement of another injured Kisan shows that Bhushan has inflicted blows on his person with the help of iron rod on head as well as on the hands and legs. So also, even Mangesh has assaulted him. She further submits that considering the serious allegations and gravity of the crime and further the fact that the injured Jayram and Kisan were admitted for 10 days in ICU and considering the grievous injuries sustained by both of them, the applicants do not deserve to be enlarged on bail.

9. I have considered the rival submission, it appears from the record and investigation papers that the family of the present applicant as well as the family of the injured are near relatives. The incident took place on the trivial issue of parking of the tractor. No doubt, there are allegations against the present applicants. However, the fact is that the applicants are behind bar since 21.10 2025. From the allegations which surfaced on record, it appears that there is no previous enmity between the families, neither there are antecedents against the applicants. However, it appears that the incident took place within the

spur of moment. Consider all these factors and the fact that the investigation is over and the charge sheet is filed, no purpose would be served by keeping the applicants behind bar, therefore I am inclined to grant bail. Hence, the following order:-

ORDER

- (i) Criminal application is allowed and disposed of.
- (ii) The applicant/accused Bhushan Mangesh Deshmukh and Mangesh Ishwra Deshmukh be released on bail in connection with Crime No.623/2025 registered with the Police Station Kuhi, Nagpur for the offence punishable under Sections 109(1), 118(2), 118(1), 191(2), 191(3), 190 of the Bhartiya Nyaya Sanhita, 2023 on their furnishing P.R. Bond of Rs. 25,000/- each with one surety in the like amount.
- (iii) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (iv) The accused shall provide their residential address and cell number to concerned Police Station and shall not change their place of residence without prior intimation to the concerned Investigating Officer.
- (v) The applicant/accused shall attend each and every date of trial regularly. If they fail to attend the trial for two consecutive dates or fails to comply with the aforesaid

conditions, their default would entails the State to ask for cancellation of bail.

(vi) The applicants shall not enter into the village Aaptur, Tal. Umred, District Nagpur till the conclusion of this trial.

(M. M. NERLIKAR, J.)

Gohane