



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.4 OF 2026

Krishna @ Kishan Subhash Natekar and others

Vs.

State of Maharashtra, through PSO, Police Station, Khamgaon City, Dist.
Buldhana

WITH

CRIMINAL APPLICATION (ABA) NO.19 OF 2026

Suresh Hiranman Borkar

Vs.

State of Maharashtra, through PSO, Police Station, Khamgaon City, Dist.
Buldhana

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

Court's or Judge's orders.

Shri Dhruv, Adv. h/f Shri S.V. Sirpurkar, Advocate for the
applicants.

Ms D.V. Sapkal, AGP / APP for respondent/State.

CORAM : M.W. CHANDWANI, J.

DATE : 02.02.2026.

1. Both applications arise out of the same crime i.e. Crime No.509/2025 registered with Police Station, Khamgaon City, District Buldhana for the offences punishable under Sections 109, 125, 351(2), 352, 115(2), 131, 189(2), 191(2) and 194(2) of the Bharatiya Nyaya Sanhita, 2023 and therefore, they are being decided by this common order.

2. Having heard the learned counsel for the applicants as well as the learned APP for the State and having gone through the case dairy, it is revealed that on the date of incident i.e. on 09.12.2025 when the informant was sitting

at Sanjay Laundry, co-accused Rushikesh Bala came there and had an altercation with the informant. Thereafter, Rushikesh Bala left the spot. After some time, he returned with the applicants. Rushikesh was holding an iron rod, whereas applicants – Sunny Suresh Borkar, Krishna Natekar and Golu Baban Bangar threatened to beat the informant. Rushikesh assaulted the informant on his head by means of iron rod and Sunny Suresh Borkar pelted a stone towards the informant. However, he dodged the said stone and managed to save himself. Thereafter, the applicants in ABA No.04/2026 assaulted the informant by fist and kick blows. On the complaint made by the informant, the aforesaid offence came to be registered against the applicants and co-accused Rushikesh.

3. Perusal of the case dairy reveals that applicant – Suresh Borkar was holding a sword in his hand which is a deadly weapon. The sword is required to be recovered and therefore, custodial interrogation of applicant – Suresh Borkar is necessary. Considering the role assigned to applicant Suresh Borkar, who used the sword in the crime, no case is made out for granting extra ordinary relief of anticipatory bail. It is to be noted here that a counter FIR is also lodged by wife of applicant – Suresh Borkar.

4. So far as the applicants in ABA No.4/2026 are concerned, the role assigned to them is that they assaulted the informant by means of fist and kick blows. Nothing is required to be recovered from them.

5. Considering the role assigned to the applicants in ABA No.4/2026, more particularly when they have not used any weapon, except Sunny Borkar who attempted to pelt stones; in my view, a case is made out for anticipatory bail. So far as criminal antecedents of the applicants are concerned, they have mentioned in the application that the trial is pending before the competent Court. Pursuant to the ad interim protection granted by this Court, it is informed that the applicants have attended the police station and cooperated in the investigation.

6. In view of the above, Criminal Application (ABA) No.19/2026 is rejected.

7. Criminal Application (ABA) No.4/2026 is allowed. The interim protection granted vide order dated 06.01.2026 is hereby confirmed.

With this, both the applications stand disposed of.

(M.W. Chandwani, J.)

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