



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

Criminal Application (ABA) No.125/2026

-vapnil Gawai V State of Maharashtra through PSO Police Station Balapur, District Akola)

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

Court's or Judge's orders

Mr. C.N. Wankhade, Advocate for applicant.
Mr. Lokhande, APP for State.

CORAM : M.W. Chandwani, J.

DATE : 27-03-2026.

Heard learned counsel for the applicant and learned
APP for the non-applicant/State. Perused the case diary.

2. The applicant is apprehending his arrest in connection
with Crime No.0065/2026 registered with Police Station Balapur,
District Akola, for the offences punishable under Sections 74, 75,
296, 115(2), 351(2) of the Bhartiya Nyaya Sanhita, 2023.

3. Upon perusal of the case diary, it is revealed that the
victim runs a grocery shop under the name and style of "Kenekar
Kirana Shop" at Village Tamsi, Tahsil Balapur, District Akola. It is
alleged in the FIR that the applicant used to purchase articles on
credit and upon refusal, he would abuse the victim. On the day of
the incident i.e. on 15-01-2026, when the victim was standing
outside her shop, the applicant came there and questioned why the
victim was staring at him. This led to an altercation during which,
the applicant abused and assaulted the victim. Thereafter, the

complaint was filed and on the basis of the said complaint, the aforesaid offence came to be registered against the applicant.

4. Learned Counsel for the applicant submits that perusal of the FIR does not reveal commission of the offence of outraging the modesty of the victim. He submits that the applicant has been falsely implicated in the present crime as he is not on good terms with the family of the victim. Moreover, nothing is required to be seized from the applicant and therefore, his custody is not required.

5. It appears that the applicant is a customer of the victim and buys groceries from her shop. On 15-01-2026, the alleged incident occurred after an altercation between the two primarily on the ground that the victim was staring at him. The applicant was protected by ad-interim order of this Court dated 17-02-2026 and was directed to appear before the concerned Police Station. Accordingly, the applicant appeared and cooperated in the investigation.

6. Considering the fact that none of the alleged offences are punishable with imprisonment exceeding five years, coupled with the nature of allegations and the fact that nothing is required to be seized from the applicant, this Court is of the opinion that a case is made out for confirmation of the order dated 17-02-2026.

7. Accordingly, application is allowed. Order dated 17-02-2026 passed by this Court shall stand confirmed.

8. The applicant shall appear before the concerned Police Station as and when directed.

9. The applicant shall not enter the vicinity of village Tamsi, Taq. Balapur, District Akola till filing of the chargesheet.

(M.W. Chandwani, J.)