



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

CRIMINAL APPLICATION (ABA) NO.141 OF 2026

Parmeshwar Ramrao Hatole Vs. State of Maharashtra and another

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

Court's or Judge's orders.

Shri S.I. Ghatte, Advocate for applicant.
Shri S.B. Bissa, APP for non-applicant no.1/State.
Ms Garima Jain, Advocate for non-applicant no.2.

CORAM : RAJNISH R. VYAS, J.

DATE : 18.04.2026.

1. Apprehending the arrest in connection with Crime No.42/2026 registered with Police Station, Jalgaon-Jamod, District Buldhana for the offences punishable under Sections 74, 75, 333, 351(3) of the Bhartiya Nyaya Sanhita, 2023(for short, "BNS"), the applicant/sole accused has approached this Court.

2. The informant in the said First Information Report is one Shital Naresh Hatole, who is cousin sister-in-law of the present applicant.

3. The name of wife of the applicant is Pooja Parmeshwar Hatole, who has lodged First Information Report dated 23.01.2026 bearing Crime No.41/2026 with the same police station for the offences punishable under Sections 74, 352, 351(3) of the BNS.

4. The First Information Report lodged by the wife of the applicant is first in the point of time.

5. In the First Information Report lodged by the wife of the applicant which bears Crime No.41/2026 it is alleged that on 22.02.2026 at about 6 O'clock in the evening when she alongwith her husband were proceeding towards the temple, at that time Naresh Vasantrao Hatole, husband of the informant in Crime No.42/2026, questioned the applicant as to why he had conspired to lodge a false complaint against him with the police station. Said Naresh Hatole had started abusing the applicant and Naresh was also holding an iron rod in his hand. The applicant ran away from the spot and proceeded towards his house. The wife of applicant also followed him at which time said Naresh Hatole caught hold of her hand also abused. He tried to take said Pooja near him.

6. In First Information Report No.42/2026, in which anticipatory bail is preferred. Informant – Sheetal Naresh Hatole has stated that on 22.01.2026 at about 7.00 to 7.30 pm when she was at house alongwith son and mother-in-law, the applicant came inside and asked about whereabouts of her husband i.e. Naresh Hatole. Said Shital then informed the applicant that her husband Naresh had gone outside for performing the work. At that time, the applicant with ill-intention caught hold hand of the informant, pressed her breast at which time alarm was raised by informant Shital.

The mother-in-law of informant - Shital immediately rushed there and the applicant ran away by giving threats and abuses to the informant.

7. It is in this background, learned counsel for the applicant submitted that though the parties are relatives, the case is an example of false implication. He also invited my attention to the complaint lodged against the husband of informant showing commission of offence under the Electricity Act. He therefore contended that considering the nature of allegations made and sequence of events, he will be released anticipatory bail.

8. It is pointed out by the learned counsel for the applicant that this Court has granted interim anticipatory bail to the applicant and in pursuance with the order he has attended the police station. The attendance at the police station by applicant is not disputed by the learned APP. It is also informed to the Court that charge-sheet is already filed.

9. Per contra, learned APP has opposed the bail application on the ground that offence is against a woman and therefore, different parameters be made applicable. He has also relied upon the statement of mother-in-law, which was recorded during course of investigation.

10. The learned counsel for the informant has contended that just because there is First Information Report

prior in a point of time it would not *ipso facto* lead to the conclusion that the applicant is falsely implicated. She prayed for rejection of application.

11. With the assistance of respective counsels, I have gone to the record of the case so also the case diary, which is produced for my perusal.

12. The fact cannot be ignored that earlier wife of the applicant has lodged the First Information Report against the husband of the informant, which resulted into registration of FIR No.41/2016. In the said FIR, there is a reference to the conspiracy hatched by the applicant for lodging the false case against the husband of the informant. The version in the First Information Report finds support from the complaint dated 06.10.2025 filed by one Shekhar Shriram Nirmal against the husband of informant, which pertains to theft of electricity. Not only this, the statement of mother-in-law of the informant recorded also shows that the applicant before two months from lodging of First Information Report had tried to implicate her son / Naresh in the case registered under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Thus, the possibility cannot be ruled out that genesis of crime is something different from what has been narrated in the First Information Report. Though incident had taken place on 22.01.2026 report is lodged on 23.01.2026. The delay in lodging of First Information Report in all cases would not go

to the root of the matter but it can be said to be one of the additional factors. The statement of mother-in-law was recorded after lapse of 4 days. At the time of deciding anticipatory bail mini trial cannot be conducted but the material can be scrutinized in order to test the contention of the accused regarding the false implication. The mother-in-law in her statement has nowhere stated that the applicant has pressed the breast of the informant. In view of the same contentions made by the learned APP and learned counsel for the informant would not be enough to reject the application.

13. Considering the nature of evidence available and the fact the parties are at loggerheads, I am inclined to allow the present application. Hence, the following order is passed:

ORDER

(i) The application is allowed and disposed of.

(ii) In the event of arrest in connection with Crime No.42/2026 registered with Police Station, Jalgaon-Jamod, District Buldhana for the offences punishable under Sections 74, 75, 333, 351(3) of the Bhartiya Nyaya Sanhita, 2023, applicant – **Parmeshwar Ramrao Hatole** shall be released on bail on furnishing a PR bond of ₹30,000/- [Rupees Thirty Thousand only] with one solvent surety in the like amount.

(iii) The applicant shall cooperate with the investigating agency and shall not tamper with the prosecution evidence or influence the witnesses directly or indirectly.

(v) The applicant shall not leave India without prior permission of this Court.

(Rajnish R. Vyas, J.)

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