



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

CRIMINAL APPLICATION (ABA) NO.196 OF 2026
Dinesh S/o Raju Pakalwar 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.

Shri S.U. Dable, Advocate for applicant.
Ms D.V. Sapkal, APP for respondent/State.

CORAM : RAJNISH R. VYAS, J.
DATE : 29.04.2026.

1. Apprehending arrest in connection with Crime No.83/2026 registered with Police Station, Jaripatka, Nagpur for the offences punishable under Sections 109(1), 296, 3(5), 351(3), 352 of the Bharatiya Nyaya Sanhita, 2023, the applicant, who is not named in the FIR, has approached this Court.

2. Reporter of the crime is one Akash Vikas Awale. FIR is registered against two unknown persons and one Riya Manoj Walde. In short, it is alleged in the FIR that the informant had performed the marriage with one Shraddha against the will of her family members. It is on this count, that the family members of Shraddha started developing revengeful attitude towards the applicant. It is alleged that on 17.02.2026, the father of the informant had abused the grandmother of the informant's wife. It is further alleged that on 18.02.2026 at about 5:30 pm, when the informant came out of his house for taking pet to the hospital at that

time a person wearing a green-shirt, whose age was in between 25 to 35 years, tried to assault the informant by means of sword. It was further alleged that the informant ran away from the spot and at that time one more person wearing a white-shirt, who was aged in between 25 to 30 years, also came and thereafter, the person wearing the green-shirt, assaulted the informant on his head by sword. It was further alleged in the FIR that thereafter the informant ran away. It is this incident, which resulted into registration of FIR.

3. The learned counsel for the applicant has submitted that the applicant was not at all involved in the crime and he was not even present on the spot. He submitted that the applicant has no criminal antecedents.

4. *Per contra*, the learned APP has contended that investigation is at an initial stage. She has fairly stated that the incident was recorded in CCTV and the applicant was not found involved in actual incident. She further submitted that on 18.02.2026 at about 07:11 pm the applicant was present alongwith other accused near the Bharat Petrol Pump, Bridge No.10, Kamptee Road, Nagpur.

5. With the assistance of the respective counsels, I have gone through the record of the case. The informant has categorically stated that two unknown persons had assaulted him. The incident was captured in CCTV. The learned APP

has fairly submitted that the applicant was not involved in the commission of the crime, which had taken place at about 7:25 pm near Shiv Mandir; whereas, the applicant was seen with the other accused at Bharat Petrol Pump, Bridge No.10, Kamptee Road, Nagpur, at about 7.11 pm. According to her, the distance between the said petrol pump and the spot of the incident is approximately 1 to 1 ½ km.

6. Considering the fact that the applicant was not involved in the commission of the offence and he was earlier found in company of accused, I am inclined to protect the liberty of the applicant. Further, the applicant was granted ad-interim anticipatory bail vide order dated 13.03.2026 and was also directed to attend the concerned police station, which he has attended. 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.83/2026 registered with Police Station, Jaripatka, Nagpur, for the offences punishable under Sections 109(1), 296, 3(5), 351(3), 352 of the Bharatiya Nyaya Sanhita, 2023, applicant – **Dinesh S/o Raju Pakalwar** shall be released on bail on furnishing a PR bond of ₹25,000/- [Rupees Twenty Five Thousand only] with one solvent surety in the like amount.

(iii) The applicant shall attend the concerned Police Station as and when called by the investigating officer, till filing of the charge-sheet.

(iv) 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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