



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

CRIMINAL APPLICATION (ABA) NO. 318 OF 2026

Arjun s/o Laxman Munde Vs State of Maharashtra

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. M.V. Rai, counsel for applicant.

Ms. D.V. Sapkal, APP for non-applicant/State.

CORAM: RAJNISH R. VYAS, J.

DATED : 29/04/2026.

1. Apprehending arrest in connection with Crime No. 428 of 2026 dated 01/03/2026 registered with Police Station, Bhadravati, District Chandrapur, for the offence punishable under Sections 109(1), 126(2), 189(1), 189(2), 189(4), 190, 191(2), 296 and 351(3) of the Bharatiya Nyaya Sanhita, 2023, the applicant/accused No. 2 has approached this Court.

2. The First Information Report was lodged by one Shakib Shakil Kaji. In short, it was his case that he was loading fly ash into a vehicle and permission for the same was granted to one Hasim Khan. On 01/03/2026, at about 01.00 O'clock in the afternoon, when the informant along with others was loading fly ash from dumping yard in the vehicle, the applicants came in a car and threatened him by saying that henceforth they would not allow the loading of fly ash. It was further alleged that accused No.1, Sangam, took out a knife and threatened that he would kill the informant and his employer.

3. So far as the present applicant is concerned, it was alleged that he tried to assault by means of iron pipe. The persons who came along with the applicant then assaulted the informant and others by means of fist and blows and also abused the informant. According to the First Information Report, the applicants and others also threatened that they would set the informant and his employer on fire. It is in this background, the FIR came to be lodged.

4. The learned counsel for the applicant has argued that prima-facie no offence is made out. It was further submitted that applicant is working as a Grade-II Technician with MAHAGENCO and has no criminal antecedents. He further submitted that, even as per the role assigned to the applicant he was holding iron pipe only.

5. Per contra, the learned APP has contended that though the injuries sustained by the informant and others were of a simple nature, the fact remains that one of the accused attempted to cause injury to the informant by means of a knife.

6. The learned APP has not disputed that applicant has attended the concerned police station as per the order passed by this Court on 09/04/2026 and has cooperated with the investigating agency.

7. The learned counsel for the applicant has submitted that so far as the iron rod is concerned, same

would be produced before the Investigating Officer within a period of one week from today. The statement is accepted as an undertaking to the Court.

8. Considering the fact that the applicant has no criminal antecedents and also considering the nature of injury sustained, I am inclined to pass the following order.

ORDER

- a) The criminal application is **allowed**.
- b) In the event of arrest, in connection with Crime No. 428/2026 registered with Police Station, Bhadravati, District Chandrapur for the offence punishable under Sections 109(1), 126(2), 189(1), 189(2), 189(4), 190, 191(2), 296 and 351(3) of the Bharatiya Nyaya Sanhita, 2023, the applicant- ***Arjun s/o Laxman Munde***, be released on bail on furnishing a P.R. bond of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety in the like amount.
- c) The applicant shall attend the concerned Police Station on 1st and 2nd May 2026 between 02.00 p.m. to 03.00 p.m. and thereafter as and when required.
- d) The applicant shall cooperate with the investigating agency and shall not tamper with the prosecution evidence or influence the witnesses.

- e) The applicant shall produce the iron rod on 02/05/2026 before the investigating officer. The recovery of weapon be treated under Section 23(2) of the Bharatiya Sakshya Adhiniyam (BSA), 2023.
- f) The applicant shall not leave the India without prior permission of the Court.

(RAJNISH R. VYAS, J.)

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