

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

CRIMINAL APPLICATION (ABA) NO.421 OF 2026

SAHADEO SHANKARRAO PALASPAGAR

VS

THE STATE OF MAHARASHTRA THR PSO., YEVEDA, TQ. DARYAPUR
DIST. AMRAVATI

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

Court's or Judge's orders.

Mr. Dattaram N. Mudgale a/w Mr. Vikram Sarvatkar, Advocate for the Applicant
(s).

Mr. S.M. Ukey, APP, for the Respondent-State.

CORAM : RAJ D. WAKODE, J.

DATE : 26th MAY, 2026.

1. Heard the learned counsel for the applicant (s).
2. Apprehending arrest in connection with Crime No.58 of 2026 registered with Yeoda Police Station, District Amravati, on 13.04.2026, for the offences punishable under Sections 117(2), 352, and 105 of the Bharatiya Nyaya Sanhita, 2023, the applicant has approached this Court seeking grant of anticipatory bail.
3. The contention is that the offence was initially registered against the applicant for the aforesaid offences i.e. Section 117(2) and 352 of BNS, 2023. Based on the allegations made by the complainant Smt. Sheela Bandu Palaspagar, the contention was that there was a quarrel which took place between the applicant and the complainant's husband over the reason of parking a vehicle, and they had a

conversation and the accused pushed the husband of the complainant and he fell down. On the basis of such allegation, the aforesaid FIR was registered.

4. The complainant in the FIR itself has stated that on the said day, there was no injury to the deceased i.e. her husband Bandu Palaspagar, and therefore she had taken him to the residence. However, after the registration of the aforesaid FIR, the husband of the complainant expired on 17.04.2026 and offence under Section 105 of the BNS, 2023 was subsequently added against the present applicant. On the basis of such offence being added, the learned Sessions Court has rejected the application on the ground that the offence is serious; however, the fact remains that on 25.02.2026, when the incident had occurred, even as per the complainant, the deceased Bandu Palaspagar had not suffered any injury, and therefore, instead of taking him to hospital, she had taken him to her residence.

5. In view of the above, I am inclined to protect the present applicant. Accordingly, the following order is passed: -

ORDER

(i) Issue notice to the non-applicant, returnable on 11.06.2026.

(ii) The learned APP waives service of notice on behalf of the non-applicant-State.

(iii) In the event of arrest in Crime No.58 of 2026 registered with Yeoda Police Station, District Amravati, on 13.04.2026, for the offences punishable under Sections 117(2), 352, and 105 of the Bharatiya Nyaya Sanhita, 2023, the applicant shall be released on ad-interim anticipatory bail upon furnishing a PR Bond of Rs.25,000/- with one solvent surety in the like amount.

(iv) The applicant shall attend the concerned Police Station on every Monday between 11:00 a.m. and 4:00 p.m.

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

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

(RAJ. D. WAKODE, J.)