

MHCC050036082026



**IN THE COURT OF SESSIONS, AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI**

**ANTICIPATORY BAIL APPLICATION NO.1050 OF 2026
IN
(C.R. NO.:652/2026 OF DAHISAR POLICE STATION)**

Pandurang Shivaji Pawar

Age: 23 years, adult, Indian Inhabitant,
Add: Ekta Chawl, Room No.3, S.P. Road,
Nr. Fish Market, Ketki Pada, Dahisar (East),
Mumbai-400068.

... Applicant

Vs.

The State of Maharashtra

(Through, Dahisar Police Station)

... Respondent

For applicant: Advocate Shri Abhilash Singh.

For State/Respondent: APP Ms.Poornima Rathod.

**CORAM : H.H. ADDITIONAL SESSIONS JUDGE
SHRI B. D. PAWAR (C.R.NO.14)**

Date : 12th August, 2026.

:: ORDER ::

The applicant has filed this application under Section 482 of The Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 for anticipatory bail in connection with Crime No.652 of 2026, registered with Dahisar Police Station for the offences punishable under Sections 109(1), 118(2), 115(2), 351(3), 352, 189(2), 189(4), 190, 191(2),

191(3) of The Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 37(1) and 135 of the Maharashtra Police Act, 1951.

2. Read application and say filed by the Investigating Officer and APP at Exh.03. Heard Advocate Shri Singh for the applicant and APP Ms.Rathod for the State.

3. Advocate Shri Singh submitted that, applicant apprehends arrest in C.R. No.652/2026, registered with Dahisar Police Station. The applicant is falsely involved in the crime. Hence, the applicant has filed this application for anticipatory bail.

4. Advocate Shri Singh submitted that, on report of informant Shobha Gajanan Khanke, above crime is registered against the applicant and other accused. Informant stated that on 05.05.2026, at 6.20 p.m., her son Vishal told her that her son Manoj has been injured and taken to the Bharat Ratna Dr. Babasaheb Ambedkar Hospital. She went to the hospital. In the hospital, her son Manoj told her that accused Akash Devkate and his friends assaulted him and his friends on account of previous dispute.

5. Advocate Shri Singh submitted that, the applicant was not present at the place of incident. In the report, no specific role is attributed to the applicant. The investigation of the offence is completed and charge-sheet is filed. Weapons allegedly used in the commission of offence are recovered. Therefore, physical custody of the applicant is not necessary for investigation of the offence.

6. Advocate Shri Singh submitted that, injured Manoj Khanke

is discharged from the hospital. Therefore, there is no possibility of offence becoming more serious. The applicant has no criminal antecedents. Hence, applicant may be granted anticipatory bail and he will abide by the conditions imposed.

7. APP Ms. Rathod submitted that, the applicant is involved in commission of serious offence. Name of applicant is mentioned in the report. Injured Manoj Khanke sustained grievous hurt to his head. The applicant and other accused attempted to commit murder of Manoj Khanke. The applicant is absconding since the date of offence. Hence, applicant may not be granted anticipatory bail.

8. I have gone through the report lodged by informant Shobha Gajanan Khanke. Informant stated in the report that on 04.05.2026, at 11.00 p.m., her son Manoj went to attend *haldi* program in the vicinity and returned at 12.15 a.m. On 05.05.2026, Manoj was at home. At 5.00 pm, she returned home from work. At that time, Manoj was at home. At 5.20 p.m., Manoj went outside saying that he want to go for walk. On that day, at about 6.20 p.m., her son Vishal told her that Manoj is injured and taken to Bharat Ratna Dr. Babasaheb Ambedkar Hospital.

9. Informant stated that she went to hospital. After regaining the consciousness, Manoj told her that accused Akash Devkate and his friends assaulted him and his friends on account of previous dispute. Manoj told her that accused assaulted him by fists and kick blows and by stones. Majoj has sustained fracture injury to his skull.

10. On going through the report, it appears that informant has

not seen the incident of the dispute. The incident was narrated to her by her son Manoj Khanke. I have gone through the statement of Manoj Khanke recorded by Investigating Officer. Manoj Khanke stated in his statement that on 05.05.2026, at 5.30 p.m. he alongwith his friends Rohan Chavhan, Samarth Birkhade and Harsh Badavate were at Shaikh Compound Maidan, Ketaki Pada, Dahisar. At that time, accused Akash Devkate with his friends came there. They all encircled them. Addressing to his friends, accused Akash Devkate said “जास्त माजलेत साले, यांना आज संपवुया, यांचा गेम खल्लास करूया”. Saying so, accused Akash Devkate and his friends started assaulting him and his friends. Manoj stated that his friends run away. At that time, accused Akash Devkate said to his friends “याला सोडू नका, याला खल्लास करा”. Thereupon, they all started assaulting him by fists and kick blows and by stones. The name of applicant is mentioned as one of the assailant. Manoj stated that Prathamesh Shirdhankar assaulted him by wooden plank. Ranjeet Murgude hit on his head by stone. He sustained fracture injury to his head.

11. I have gone through the medical certificate. It shows that the injured sustained fracture injury to his skull. The Medical Officer stated in the certificate that the injured is operated upon to remove depressed bones of the skull. Therefore, the injury is grievous in nature.

12. Considering medical certificate, it is clear that the injured has sustained grievous hurt to vital part of his body. The injuries are caused by stone being deadly weapon. Considering the statement of the injured, it prima-facie appears that the injuries were caused with intention to commit murder. Therefore, offence punishable under Section 109(1) of BNS, 2023 is prima-facie made out.

13. Considering the statement of injured Manoj Khanke, it appears that the applicant was amongst the assailants, who assaulted Manoj by fists, kick blows and stones. Charge-sheet is filed in the case. The applicant is shown as absconding. Ground of completion of investigation and filing of charge-sheet is not available to the absconding accused to seek anticipatory bail. Therefore, applicant cannot be granted anticipatory bail. Hence, I pass the following order :-

ORDER

Anticipatory Bail Application No.1050 of 2026 is rejected and disposed off.

(B. D. PAWAR)

Additional Sessions Judge
Borivali Div., Dindoshi,
Mumbai.

Date : 12.08.2026

Dictated on Computer : 12.08.2026
Corrected and Signed on : 12.08.2026

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED JUDGMENT/ORDER”

Date : 12.08.2026

Mr. Umesh G. Jadhav

Time : 05.30 P.M.

(Stenographer Grade-I)

UPLOAD DATE AND TIME

NAME OF STENOGRAPHER

Name of the Judge (With Court Room Number)

SHRI. B. D. PAWAR
Court Room No.14

Date of Pronouncement of JUDGMENT/ ORDER

12.08.2026

JUDGMENT/ORDER signed by P.O. on

12.08.2026

JUDGMENT/ORDER uploaded on

12.08.2026