

MHTH290012022026



Order below Ex.1 in Criminal Anti. Bail Appln No.486/2026

SUNIL MARUTI GULVI & ORs.

Vs.

STATE OF MAHARASHTRA THROUGH BHIWANDI TALUKA POLICE STATION

1] This is an application filed by applicants no.1) Sunil Maruti Gulvi, No.2) Rajendra Maruti Gulvi, No.3) Vaishali Sunil Gulvi and No.4) Parth Sunil Gulvi for seeking pre-arrest bail in C.R.No.399/2026, registered at Bhiwandi Taluka Police Station, Bhiwandi, for the offence punishable under sections Section 74, 118(1), 115(2), 351,(2), 352, 3(5) of BNS.

2] Brief facts, which give rise to file the present application, are as under :

Complainant is residing at given address alongwith her family. She is the member of Group Grampanchayat, Nimbavali and Yevai. Applicant Vaishali Gulvi is also member of said Grampanchayat. Hence, complainant and Vaishali Gulvi knowing to each other. It is alleged further that, there is dispute between complainant's husband and husband of Vaishali Gulvi on account of landed property at village Yevai.

3] On 08.05.2026, complainant and her husband went at village Nimbavli to attend Haldi ceremony of Sanjay Gulvi. After

completing said Haldi Ceremony, they were returning to their home at 11.45 pm. When they reached in front of accused Sunil Gulvi at that time, Sunil Gulvi, Rajendra Gulvi, Vaishali Gulvi and Parth Gulvi came there. They all started giving abuses to complainant's husband on account of their landed dispute. In that quarrel Sunil Gulvi and Parth Gulvi assaulted on complainant's husband on his head by means of wooden bat. Rajendra Gulvi caused the complainant's husband to fell down on ground and caused beatings by fist and blows. Accused Vaishali gave abuses to complainant's husband. When the complainant went to rescue her husband, at that time Sunil Gulvi pulled her *saree* on torn the same and put his hand on complainant's chest. Due to said act of accused Sunil complainant's modesty is outraged. Complainant's husband sustained injury to his forehead. Hence, complainant took her at Sanjivani Hospital for his medical treatment.

4] Thereafter she lodged report in this regard. Accordingly, the present crime is registered.

5] Now, by filing this application the applicants/accused are seeking pre-arrest bail to them. According to applicant, contents in FIR are false. They alleged that, prior to lodging this FIR, NC dated 18.02.2026 was registered by Yogesh Wathare against the injured for causing beatings and giving abuses etc. According to applicants they are ready to co-operate in investigation.

6] In this matter prosecution as well as original complainant

is appeared and strongly resisted the prayer. According to them all the accused in furtherance of their common intention assaulted to injured Pritesh due to previous dispute and the weapon used yet to be seized.

7] Perused written arguments filed by applicants. Perused written filed by original complainant.

8] Ld advocate appearing for applicant submitted that, there are cross complaints lodged by parties against each other and this FIR is later one. According to him punishment prescribed for offence alleged is upto 7 years and hence custodial interrogation of accused is not necessary.

9] Ld, APP and complainant submitted that weapon used is yet to be recovered.

10] On perusal of FIR it appears that, there is previous property dispute between the injured and accused Sunil Gulvi. As per FIR all the accused put up quarrel with injured of said previous dispute itself.

11] It further appears that, in alleged incident accused Sunil Gulvi and Parth Gulvi assaulted to injured by means of bat on his head portion. Due to said assault made by accused persons the injured has sustained injuries to him. In FIR name of all the applicants clearly mentioned as accused/culprits. Their specific role is also stated in FIR.

12] As per say of IO the weapon used for assaulting the injured (wooden bat) is yet to be seized. Considering specific role of each applicant, though counter FIR is registered, in this regard, mere this ground is not found as legal and justified to allow the prayer. On contrary, a ground of recovery of weapon used in commission of crime is found to be legal and justified to say that custodial interrogation of all the applicants is quite necessary.

13] For aforesaid reasons I am of the view that, the applicants have not made out the case to allow the prayer. Hence, order. :

ORDER

(1) ABA 486/2026 stands rejected.

Bhiwandi.
17.06.2026

(N. L. Kale)
Additional Sessions Judge, Bhiwandi