



State of Maharashtra
Vs.
Prashant Pradeep Dalvi.

ORDER BELOW EXH.29.

1. This is bail application is filed under Section-483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred as 'BNSS') by applicant/**accused No.5 Prashant Pradeep Dalvi** to enlarge him on bail. He is arrested in Crime No.I- 791/2025 of Tophkhana Police Station, Ahmednagar for the offence punishable under Sections- 109(1), 126(2), 118(1), 189(1), 189(2), 191(2), 191(3), 190, 333, 324(4), 324(5) of Bharatiya Nyaya Sanhita, 2023. Since the date of arrest i.e. on 04.08.2025 the applicant/accused is in jail.

2. The prosecution's case as revealed from FIR is that informant- Rohan Jayendra Chavan resident of Nalegaon, Ahilyanagar while giving treatment at Civil Hospital reported that accused Pawan Deepak Pawar and Shivam Deepak Pawar are also residing their locality. Previously, accused Pawan and Shivam are convicted in the offence lodged by the informant. So also both the accused used to harass him. Therefore, the informant filed complaints against them. Hence, both accused had grudged against the informant. Both the accused operating P.P. Gang in the vicinity. On 22.07.2025, there was Yatra and accused persons played C.D. system in middle road which was in front of his house. The C.D. installed was kept in such manner causing difficulty to the traffic and people passing there. The wife of informant has recorded the entire episode on her mobile.

3. Further, on 24.07.2025 at about 2.15 p.m. the informant came along with his daughter on his moped. At that time applicant/accused including co-accused followed him by loudly shouting and screaming. While informant came to his house, they all shouted loudly and left ahead. Thereafter, he left his daughter in the house and went into the office of his uncle, which is situated in front of his house. Thereafter, on the same day, at about 3.15 p.m. the applicant/accused along with other accused forcefully entered into the house of informant along with with deadly weapons i.e. iron rods, wooden logs etc. At that time, his aunt Geeta was present there. Applicant/accused including other accused damaged the CCTV and T.V. of the informant, other co-accused damaged the household articles. At that time, informant, his uncle and Priyanka Kambale were present in the office of his uncle. At that time, informant shut the door. After seeing of informant, applicant/accused along with co-accused came there, they all broke the door and entered into the office. Accused Amol Gore injured him by means of iron rod on his head. Accused Shivam Deepak Pawar injured him by sharp weapon on his head. Thereafter, applicant/accused along with co-accused Adharsh Salunkhe, Ganesh Bhujbal and Ors. injured him by means of wooden logs. They also injured his uncle and Priyanka Kambale. When his wife came to rescue them, accused Shivam Deepak Pawar and Aditya Lahu Sakat Chavan injured her by wooden logs. At that time, aunt Anita, Devyani and mother of Pawan Pawar came to rescue them, accused also injured them. Thereafter, accused left the spot by threatening the informant to kill him. Applicant /accused and others accused thrown the stones and bear bottles on the house

of informant. The accused also threatened them. Therefore, informant lodged the report against them.

4. Learned advocate for the applicant/accused that now, the charge-sheet is filed. The Hon'ble High Court of Bombay, Bench at Aurangabad in Bail Application No. 6 of 2026 had granted bail to other accused persons. On ground of parity this application may be allowed.

5. Learned APP has resisted the application by filing say vide (Exh.40) and submitted that offence is in nature. The applicant/accused has taken active participation in commission of offence. There are eye witnesses to the incident. The CCTV footage shows that applicant/accused was present on the spot. He has criminal background. Hence, application may be rejected.

6. The informant appeared through his Ld. Advocate and resisted the application. Their learned advocate has submitted that earlier co-accused and other persons had assaulted informant and his family. In this respect, a criminal complaint was filed and case was tried by Sessions Court vide Sessions Case No. 141 of 2018. In that case, co-accused was convicted. He filed appeal before Ld. High Court and he is released on bail. Thereafter, he has committed 11 crimes. All the accused persons are operating as a gang in that locality. The police had also initiated externment action against the whole gang members. They have criminal records. Some of the accused persons still absconding. If this application is allowed, then they will pressurize the witnesses. The objection about illegal arrest was not taken before this time and now at later stage the applicant

cannot raised this issue. Hence, application be rejected.

7. Record shows that applicant/accused was part of unlawful assembly. He has also criminal record. The Hon'ble High Court in Bail Application mentioned above has considered bail application of co-accused on merits. The role of applicant/accused is similar to the role of accused persons released on bail by Hon'ble High Court. Hence, parity is applicable. Therefore, following order.

ORDER

1. The Application Exh.29 is allowed.
2. Applicant/**accused No5 Prashant Pradeep Dalvi** be released on bail on furnishing P.B. & S.B. of Rs.20,000/- (Rupees Twenty Thousand only) with one or two sureties on following conditions :
 - (i) The applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.
 - (ii) The applicant/accused shall not indulge in criminal activity.
 - (iii) The applicant/accused shall attend each and every effective dates of this case.
 - (iv) The applicant/accused shall not enter in the vicinity of Nalegaon, Dist. Ahilyanagar till conclusion of trial.

Date : 23.03.2026
Place : Ahmednagar.

(M. S. Lone)
Additional Sessions Judge,
Ahmednagar JO Code-MH00920