

MHKO010008752026



Cri.Bail Application No.195/2026

Order below Exh.1

By way of this application accused Pankaj Sanjay Vaswani is seeking relief of regular bail for the offence registered against him and others at police station, Gandhinagar on 23-02-2026 vide crime no.46/2026.

02. Today, the prosecution has submitted say. On behalf of learned A.P.P. Shri.Mahadeshwar his junior colleague Adv.Prajakta Patil sought time to argue the application.

03. Learned Adv.Shri.O.P.Shinde appeared on behalf of the informant and orally submitted that he wants to file vakalatnama and affidavit on behalf of the informant. He further submitted that if he has not received vakalatnama. He sought time to file vakalatnama and affidavit.

04. After the prosecution sought time to argue the application, learned advocate Shri.Hilage for the applicant submitted that the applicant be released on interim bail till decision of the application. He read out the entire F.I.R., placed order passed in Cri.Bail Appl.no.2621/2019 passed by Hon'ble High Court on 3-12-2019 and three photographs on record.

04. There are 3 incidents described in the F.I.R. All are dated 28-1-2026. In this incident the informant says that on 28-1-2026 he and Vishnu Vaishnav, his friend, were called at Delight Hotel. He further says that when he went there Pankaj Vaswani's (the applicant) friend beat him. He does not say anything against the applicant.

05. The next incident is of the even date. About this incident he says that at 1 a.m. Pankaj Vaswani's friend Sushil Damugade (accused no.1) called his friend Vishnu Bhaskar Vaishnav on mobile and abused him. He, Vishnu Vaishnav and Aniket Kolekar went to Gandhinagar police station to give complaint. Sushil Damugade, Pankaj Vaswani (the applicant) and Lakhan Dadu Bhore were present in front of police station. Lakhan Bhore and Sushil Damugade beat him and Vishnu Vaishnav by fists, kicks as well as by stick. Vishnu Vaishnav reported this incident at police station. About this incident also there is no allegation against the applicant that he was instrumental in beating the informant or Vishnu Vaishnav, either by fists, kicks or stick.

06. The third incident occurred on the even date at 5 -15 a.m. The informant, Vishnu and Aniket were proceeding towards hospital. Sushil Damugade(accused no.1) and one unknown person started chasing their motorcycle. They intercepted them. Sushil abused them and drew edka. Vishnu and Aniket ran away on seeing edka. Sushil Damugade and the unknown person caught the informant and caused him to seat on the motorcycle. They threatened him to take the complaint back. They took him to Sasane ground. Sushil called his friends and they all beat the informant by edka and iron pipe. They threatened to eliminate him. When police came there in search of Damugade, they all ran away. The informant then lodged the F.I.R. after treatment.

07. In all the three incidents no overt act is attributed to the applicant. The say submitted on behalf of the prosecution only indicates that the applicant transferred some odd amount to accused Sushil Damugade and there were some phone calls between him and Sushil Damugade.

08. On behalf of the applicant three photographs are placed on record to show presence of the applicant in his hotel between 1-30 a.m. and 1.49 a.m. These photographs are placed on record to show absence of the applicant at the place of incident occurred at Sasane ground. The informant also does not say about presence of the applicant there.

09. Above discussion indicates that the applicant was not instrumental in injuring the informant. If he is detained in the judicial custody till decision of this application, it will lead to his unnecessary incarceration. He has made out case for getting interim bail till decision of this application. In the result, following order is passed -

Order

- 1) The applicant is released on interim bail till decision of the application.
- 2) Applicant Pankaj Sanjay Vaswani be released on interim bail till the decision of main application, subject to execution of personal bond of Rs.25,000/- alongwith solvent surety in the like amount
- 3) During his release, he shall not tamper with the evidence and threat the witnesses, directly or indirectly.
- 4) Applicant shall remain present on the dates of hearing of this bail application.
- 5) Bail before the learned Magistrate.
- 6) Applicant/accused to comply as per Chapter-I Para 12 of the Criminal Manual.

(D.V.Kashyap)

Date: 10/03/2026

Additional Sessions Judge, Kolhapur.