

CNR NO.MHPU01-006051-2026



Cri. Bail Application No.2738/2026

Kavita w/o Vinaykumar Patekar
Vs
State of Maharashtra & Anr.

ORDER BELOW EXH.1

(Delivered on this 01st day of July, 2026)

The present application is filed by applicant under **Section 482** of the Bharatiya Nagarik Suraksha Sanhita, 2023 for anticipatory bail in respect of Crime No.130 of 2026 registered at Shivajinagar Police Station for the offence punishable under Section 132, 308(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. The applicant contended that, she is permanently residing at the address mentioned in the cause title of the application. She has not committed any offence. False offence is lodged against her.

3. She further contended that, on 19.05.2026 the informant had lodged report alleging therein that on 27.03.2026 in the afternoon at about 03.00 p.m. he was working in his office at Pune Municipal Corporation. At that time, his Senior Deputy Commissioner Mr. Bankar gave him direction to meet Mr. Bhimale, the President of Standing Committee. Therefore, he and his colleague Sanjay Kumbhar and Prakash Walgude were going to meet him. At that time, Rushikesh Abhiman Sawant and Shankar Kinnu Thakur stop him. They told him that, the action was taken on their two stall at Ghole road, Shirole due to him. They abused him by saying, "मादरचोद, आईघाल्या, तुला या आधी लाचखोरी

प्रकरणात बदनाम केले आहे, आता तुझ्यासारख्या मांगट्याचा माज उतरवतो, तुझी नोकरीच खातो.” The co-accused by abusing him on his Caste and insulting him had provoke him. At that time, he went near them. At that time, Shankar Kinnu Thakur started doing the video recording. They did the video recording and lodged false report against him. They also uploaded said video on social site and defame him and Municipal Corporation. Sunil Jaywant Pawar, Umer Mainuddin Shaikh, Rajendra Vilas Jadhavar, Ramesh Vishnu Khamkar, Shankar Kinnu Thakur and Milind Jadhav had lodged false report against the employees belonging to Scheduled Caste and are pressurizing them for not taking action on their illegal stall. They have also lodged complaint against Inspector Encroachment and had demanded an amount of Rs.10,000/- from him. Smt. Nagubai Sidhappa Dhotre by taking benefit that she is handicap had done agitation and had restrained the officers of Corporation in performing their official duty.

4. She further contended that, false report is lodged against her. She had not abused or have lodged false complaint against the informant or any other Officers of Corporation. The incident of abuse on Caste is of 27.03.2026. The report of which is lodged on 19.05.2026. There is delay of about two months in lodging the report. The delay in lodging the report shows that, false report is lodged against her. Therefore, there is no bar in entertaining her anticipatory bail application. The contents of the report shows that, nothing is to be recovered or discovered at her instance and prayed that, she may be released on anticipatory bail.

5. Learned Spl.PP. gave his say. He contended that, the offence committed by the applicant is serious in nature. The applicant is harassing the officers of Municipal Corporation who belongs to

Scheduled Caste by filing false report against them. She is also extorting money from the Officers of Corporation. On 27.03.2026 the co-accused had restrained the informant from carrying his official duty. The co-accused had also abused the informant on his Caste. Therefore, there is bar in entertaining the anticipatory bail application of applicant. He further contended that, the investigation of the offence is in progress and if the applicant is released on anticipatory bail there are chances that she may pressurize the witnesses and tamper the evidence of prosecution. He prayed that, the application be rejected.

6. Notice was issued to the informant. The informant appeared and filed his say. He contended that, on 27.03.2026 at about 03.00 p.m. while he was walking with his colleague the co-accused wrongfully restrained him. They have also abused him on his Caste. There are eye witnesses to the incident. The applicant by filing false complaint is harassing the members of Scheduled Caste. Therefore, the offence under the provision of Atrocity Act is made out and there is bar in entertaining the anticipatory bail application of applicant. There is delay in lodging the report as he was pre-occupied in his official work. The delay is not intentional and had occurred due to the circumstances beyond his control. He further contended that, if the applicant is released on anticipatory bail there are chances that she may pressurize him and his family members. He also have fear for his life at the hands of applicant. He prayed that the application be rejected.

7. Heard learned Advocates appearing for parties.

8. On perusal of material available on record it appears that, on 19.05.2026 the informant had lodged report contending therein that on 27.03.2026 in the afternoon at about 03.00 p.m. he was working in his

office at Pune Municipal Corporation. At that time, his Senior Deputy Commissioner Mr. Bankar gave him direction to meet Mr. Bhimale, the President of Standing Committee. Therefore, he and his colleague Sanjay Kumbhar and Prakash Walgude were going to meet him. At that time, Rushikesh Abhiman Sawant and Shankar Kinnu Thakur stop him. They told him that, the action was taken on their two stall at Ghole road, Shirole due to him. They abused him by saying, "मादरचोद, आईघाल्या, तुला या आधी लाचखोरी प्रकरणात बदनाम केले आहे, आता तुझ्यासारख्या मांगट्याचा माज उतरवतो, तुझी नोकरीच खातो." The co-accused by abusing him on his Caste and insulting him had provoke him. At that time, he went near them. At that time, Shankar Kinnu Thakur started doing the video recording. They did the video recording and lodged false report against him. They also uploaded said video on social site and defame him and Municipal Corporation. Sunil Jaywant Pawar, Umer Mainuddin Shaikh, Rajendra Vilas Jadhavar, Ramesh Vishnu Khamkar, Shankar Kinnu Thakur and Milind Jadhav had lodged false report against the employees belonging to Scheduled Caste and are pressurizing them for not taking action on their illegal stall. They have also lodged complaint against Inspector Encroachment and had demanded an amount of Rs.10,000/- from him. Smt. Nagubai Sidhappa Dhotre by taking benefit that she is handicap had done agitation and had restrained the officers of Corporation in performing their official duty.

9. The content of the report shows that, the informant had contended that the applicant and co-accused are filing false complaint against the Officers of Corporation belonging to Scheduled Caste. On 27.03.2026 the co-accused had restrained him and had abused him on his Caste. The content of the report itself shows that, the co-accused had made complaint about said incident. The incident of abuses on Caste had

occurred on 27.03.2026 and the report of same is lodged on 19.05.2026. The said fact shows that, there is delay of about one and half month in lodging the report. The co-accused had also filed non-cognizable complaint about said incident against the informant. The content of the report shows that, on 27.03.2026 the applicant had not abused the informant on his Caste. The content of report shows that, nothing is to be recovered or discovered at the instance of applicant. The applicant is lady. Therefore, taking into consideration all the above facts, in my opinion, the applicant can be released on anticipatory bail by putting appropriate conditions for her appearance at trial. In view thereof, I proceed to pass following order :-

ORDER

(01) In the event of arrest of applicant **Kavita Vinaykumar Patekar** in connection of Crime No.130 of 2026 registered at Shivajinagar Police Station for the offence punishable under Section 132, 308(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 she be released on executing Personal Bond of Rs. 55,000/- (Fifty Five Thousand) with a surety in the like amount on following conditions :-

- (i) The applicant shall attend Shivajinagar Police Station between 11.00 a.m. to 03.00 p.m. on every Wednesday in first month and thereafter, once in the month i.e. on every second Wednesday of month between 11.00 a.m. to 03.00 p.m. and to co-operate the Investigating Officer for investigation.
- (ii) The applicant shall not pressurize the witnesses of prosecution and tamper the evidence of prosecution.

- (iii) The applicant shall not leave Pune without permission of this Court.
 - (iv) The applicant shall not enter in the vicinity where the informant resides till filing of charge-sheet against her.
- (02) Condition Nos.(i) and (iii) shall remain in force till filing of the charge-sheet or until three months, whichever may be earlier.
- (03) Inform to Shivajinagar Police Station, accordingly.

Date : 01/07/2026

(H. K. Bhalerao)
Special Judge
[Under SC & ST (POA), Act]
Pune.

CERTIFICATE

I affirm that the contents of this PDF file are same word to word as per original.

Name of Steno	:	T. A. Sayyad Stenographer (Grade-I)
Court name	:	Mr. H. K. Bhalerao Additional Sessions Judge, Pune.
Order delivered on	:	01/07/2026
Order signed by PO on	:	01/07/2026
Order uploaded on	:	01/07/2026