

Criminal Bail Application No.101/2026
Mohan Pandurang Dumbare Vs. State (Otur P.S.)
CNR No.MHPU330002482026

ORDER BELOW EXH.1

(Passed on this 10th June, 2026)

By the present application, the applicants seek anticipatory bail in connection with Crime No. 149 of 2026 registered with Othur Police Station for the offences punishable under Sections 74, 118(1), 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, and Section 92(b) of the Rights of Persons with Disabilities Act, 2016.

2. The prosecution case, in brief, is that on 31 May 2026 at about 12:30 p.m., a quarrel ensued between the informant's husband and the accused over the cutting of branches of a tree situated on the boundary of their adjoining agricultural lands. During the course of the incident, the accused allegedly abused and assaulted the informant's husband. It is further alleged that accused Mohan Pandurang Dumbre attempted to disrobe the informant by tearing her blouse and outraged her modesty by molesting her. It is also alleged that accused Nagesh assaulted the informant's daughter, Sakshi, with a stick. The prosecution further contends that despite being aware that the informant is a person with disability, the accused intentionally abused and assaulted her. On the basis of these allegations, the present crime came to be registered against the applicants.

3. Heard the learned Advocate Shri N. B. Sadakal and Shri S.D. Kokane for the applicants, the learned APP, and the Investigating Officer. Perused the record.

4. The learned Advocate for the applicants submitted that an affidavit sworn by applicant Nagesh Dumbre has been placed on record, wherein it is stated that the applicants shall not indulge in any such acts in future and shall maintain peace and harmony in the village. It was further submitted that the applicants are themselves the informants in Crime No. 148 of 2026 registered with the same police station in respect of the very same incident, thereby indicating that the present case is a counterblast. It was argued that the applicants have also sustained injuries in the incident and, therefore, they deserve the protection of anticipatory bail.

5. The learned APP opposed the application. The Investigating Officer submitted that the incident was a free fight between the parties and that cross crimes have been registered against the informant and the applicants in respect of the same occurrence. It was further submitted that the incident has created a tense law and order situation in the village and that custodial interrogation of the applicants is necessary for recovery of the stick allegedly used in the commission of the offence and for effective investigation.

6. I have given my anxious consideration to the rival submissions and the material placed on record. Prima facie, it appears that cross cases have been registered in respect of one and the same incident. However, the allegations in the present FIR specifically disclose that an attempt was made to disrobe the informant by tearing her clothes and that she was subjected to molestation by accused Mohan Dumbre. There are also specific allegations that accused Nagesh Dumbre assaulted the informant's daughter with a stick. Thus, at this stage, there are direct and specific allegations against applicant Nos. 1 and 3, namely Mohan Dumbre and Nagesh Dumbre. As regards applicant No. 2, Vandana Mohan Dumbre, the FIR does not attribute any overt act of a grave nature to her. She is also a woman and a person with disability.



7. The requirement of custodial interrogation by itself cannot be the sole determinative factor while considering an application for anticipatory bail. The Court is also required to take into consideration the nature and gravity of the allegations, the role attributed to each accused, and the overall facts and circumstances of the case. Having regard to the specific allegations against applicant Nos. 1 and 3, they are not entitled to the discretionary relief of anticipatory bail. However, in view of the limited role attributed to applicant No. 2, she deserves the protection of anticipatory bail on suitable terms and conditions.

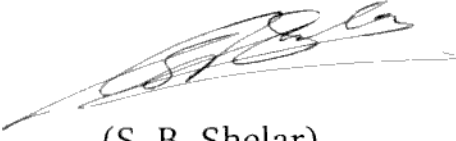
Hence, the following order:

ORDER

1. Criminal Bail Application no. 101/2026 partly allowed.
2. Application for anticipatory bail of accused no.1 Mohan Pandurang Dumbre and accused no.3 Nagesh Mohan Dumbre is hereby rejected.
2. In the event of arrest, the applicant namely 2) Vandana Mohan Dumbre shall be released on bail in connection with C.R. No. 149/2026 of Otur police station on executing P.R. and S.B. of Rs.25,000/-.
 - a The applicant no.2 shall report to the concerned Police Station on 15th May, 2026 between 11.00 a.m. to 1.00 p.m. and thereafter as and when required by the investigating officer under written intimation.
 - b. The applicant no.2 shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the present case.
 - c. The applicant no.2 shall not leave Maharashtra without prior permission of this Court.
3. Inform concerned police station accordingly.

(Dictated and pronounced in open Court.)

Junnar, Pune
Dt. : 10/06/2026


(S. B. Shelar)
Additional Sessions Judge, Junnar
Tal. Junnar, Dist. Pune