

MHPU380032182026



(The structured frame work as per directions of Hon'ble Supreme Court in Criminal Appeal No. 825/2026)

A) **CASE DETAILS**

- | | | |
|-----|-------------------------------------|---|
| (a) | FIR Number and Date | 508/2026
01/06/2026 |
| (b) | Police Station, District and State. | Shirur, Pune
Maharashtra |
| (c) | Sections invoked. | Section 118(1), 118(2),
115(2), 189(2), 352,
351(1), 351(2), 351(3),
190, 191(2), 191(3) of the
Bharatiya Nyaya Sanhita,
2023 and Section 4(25) of
the Arms Act |
| (d) | Maximum punishment prescribed. | Life imprisonment |

B) **CUSTODY AND PROCEDURAL COMPLIANCE.**

- | | | |
|------|------------------------------------|------------|
| (i) | Date of arrest. | 09.06.2026 |
| (ii) | Total period of custody undergone. | 28 days. |

C) **STATUS OF TRIAL**

- | | | |
|----|--|----------------|
| a) | Stage of proceedings (Investigation/charge-sheet/ cognizance/ framing of charges/ trial. | Investigation. |
| b) | Total number of witnesses cited in the charge-sheet. | Nil. |
| c) | Number of prosecution witnesses examined. | Nil. |

D)

CRIMINAL ANTECEDENTS.

Nil.

1) FIR no. And Police Station.

Nil.

2) Sections

3) Status (pending/acquitted/ convicted).

Nil.

E)

PREVIOUS BAIL APPLICATIONS.

Nil.

A) Court.

Nil.

B) Case No.

Nil.

F)

C) Outcome of the cases.

COERCIVE PROCESSES.

a) Whether any Non-bailable warrant was issued.

Nil.

Nil.

b) Whether declared a proclaimed offender.

ORDER BELOW EXH. 1

1. This is an application taken out by applicant/accused No.3 – Rahul Devidas Devhade u/s. 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for releasing him on regular bail in crime No. 508/2026 of Shirur Police Station, Dist- Pune for offence punishable under Sections 118(1), 118(2), 115(2), 189(2), 352, 351(1), 351(2), 351(3), 190, 191(2), 191(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 4(25) of the Arms Act.

2. In short, it is the case of prosecution that on 28.05.2026 at 7.30 pm informant Vishal Dipak Jadhav was

doing wire repairing work behind his saloon at Mouje Ramling, Tal. Shirur. At that time, accused no. 10 Suvarna caught neck of informant and started slapping him. Thereafter, accused nos. 1 to 9 gathered on the spot by forming unlawful assembly armed with wooden stick and iron rod and they dragged the informant and started beating him. Thereafter, accused no.2 alongwith present applicant/accused no.3 Rahul abducted the informant on their motorcycle and took him to Devhadevasti and at said place they bod put cotton ball in the mouth of informant and severely beaten him. At that time, accused no.1 Vishal assaulted informant by iron axe on both his leg and fractured his legs. In this way, all the accused persons caused greivous injuries to him. After the incident, the informant was admitted in Ganesh Hospital where he lodged complaint against the accused persons and on the basis of said complaint, this crime came to be registered against accused persons for aforesaid offences. Accordingly, the applicant/accused No.3 came to be arrested and he is in jail since 09.06.2026. Thus, the applicant/accused No.3 has moved present application for grant of regular bail.

3. Investigation Officer strongly resisted the application by filing say dated 06.07.2026 and prayed for rejection of the application.

4. Informant appeared through Ld. Advocate Shri. N.

D. Kulal and opposed the application by filing written argument/say dated 06.07.2026 and prayed for rejection of the application.

5. Ld. Advocate Shri. Uday Sarode for the applicant /accused No.3 took me through the case papers and submitted that there is inordinate delay in lodging the complaint which is not explained. He further submitted that if the allegations in the complaint is seen then they are of general nature and no specific role has been assigned to present applicant and so there is no prima facie case against the applicant. He further submitted actually the informant has cheated the daughter of accused nos. 6 and 10 and prepared false marriage certificate and when the accused persons inquired about it, the informant has lodged false complaint against them. Pointing the copies of NC placed on record, he submitted that there are counter complaints lodged by both the parties which itself shows that the present complaint is concocted and false. He further submitted that the applicant is in jail since 09.06.2026 and till date most of the investigation is already completed and even the informant is discharged from the hospital and he has not suffered any life threatening injury nor there is any injury on the vital part of the body and all the alleged offences are triable by Ld. Magistrate. He further submitted that it is general principle that bail is a rule and jail is exception. He

further submitted that all the muddemal property has already been seized and thus, no purpose would be served in keeping him behind bars anymore. He further submitted that the applicant is of young age. He has no criminal antecedents. He is permanent resident of given address and thus, there is no question of his absconding. He is also ready to abide by any condition which may be imposed by this Court and as such prayed for releasing him on bail.

6. On the other hand, Ld. A.P.P. Shri. Vijay Fargade for the State took me through the case papers and submitted that it is the accused nos.1 to 3 who assaulted the informant with axe, iron rod and caused life threatening injuries to him. He further submitted that there is direct role of the applicant in the alleged crime and there is prima facie case against the applicant. He further submitted that the investigation is at primary stage and yet charge sheet is to be filed. He further submitted that the bail application of accused No. 2 has been rejected by this Court and the role of present applicant is similar to him. He further submitted that if the applicant is granted bail then there is possibility of threatening the informant, pressurizing and tampering of prosecution witnesses, absconding of accused which will hamper their investigation and as such prayed for rejection of the application.

7. Supporting the submissions of Ld. APP for the State, Ld Advocate N. D. Kulal for the informant placed on record written argument and documents submitted that the accused nos.1 to 3 on account of the fact that the daughter accused nos. 6 and 10 has married informant out of love affair, they along with remaining accused persons have caused life threatening injuries to the informant. He further submitted that if the nature of assault is seen then offence punishable under section 109 of BNS are attracted but the applicant in collusion with police machinery is booked for lesser offence. He further submitted that the informant is still undergoing treatment. He further submitted that investigation is at primary stage and yet charge-sheet is to be filed and if the applicant is granted bail, then there is threat to the informant and the same will hamper the investigation and as such prayed for rejection of the application.

8. Perused the application & say filed by the investigating officer and written argument of the informant. Heard Ld. Advocate for both sides. Perused the case papers and the documents/photographs placed on record by the informant and the applicant. It appears from the case papers that on account of alleged marriage between the daughter of accused no. 6 and 10 with the informant, the accused persons were angry with the informant and they found unlawful assembly

and attacked the informant armed with axe, iron rod and wooden stick and severely beaten him and fractured his both legs. It further appears from the allegations in the complaint that after the first incident, it is the applicant who along with accused no. 2 took the informant on their motorcycle to Devhadevasti and at said place they put cotton ball in the mouth of the informant and again severely beaten him. Photographs placed on record along with the medical papers shows that the informant has suffered greivous injuries. There is direct role of applicant in the alleged crime. So there is prima facie case against the applicant.

9. The alleged offence is serious in nature. Investigation is in progress and charge-sheet is yet to be filed. Medical papers of informant placed on record shows that he is undergoing treatment. Documents placed on record an copy of N.C. shows that there is serious enmity between the parties. Looking to the nature and manner of the offence, if present applicant is released on bail, then, there is possibility of pressurizing and tampering of prosecution witnesses and evidence, threat to the informant and absconding of applicant. All this will seriously hamper the investigation.

10. For aforesaid reason, in my opinion, at this stage, the applicant has failed to make out any case for releasing him

on bail. Therefore, this application deserves to be rejected.
Resultantly, the following order :-

ORDER

Application (Exh. 1) is rejected.

(Dictated and pronounced in open Court.)

Date : 07.07.2026

(N. S. Momin)
Additional Sessions Judge,
Shirur-Ghodnadi, Dist- Pune