

IN THE COURT OF ADDL. SESSIONS JUDGE, SOLAPUR
(Presided over by Suraj V. Kendre)



Criminal Bail Application No.35/2026
Komal Kumar Thavare @ Swati Machindra Gund Vs.
State
(CNR No. MHSO010001162026)

Order Passed Below Exh.1

1. This application is filed by **Komal Kumar Thavare @ Swati Machindra Gund** for anticipatory bail under section 482 of B.N.S.S. in Crime No. 11/2026 Mohol police station for the offences punishable under sections 3(1)(r) and 3(1)(s) of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act and under section 351(2), 351(4) & 352 of Bharatiya Nyaya Sanhita.
2. The applicant has reproduced contents of F.I.R. in application As per contents of report and oral arguments it is the case of the applicant that, she is innocent and falsely implicated in the crime. There is no prima facie case against her. Investigation is completed. Nothing is to be recovered from her. She will not tamper or hamper with the prosecution evidence. Therefore, she may be released on bail.
3. The learned A.P.P. and informant have filed say and opposed the application. They have reproduced contents of F.I.R. in their say. As per the say and oral argument it is the case of the

prosecution that, nature of offence is serious. Investigation is in progress. Presence of applicant is required for interrogation. There is involvement of the applicant in the crime. If applicant is released on bail, then there is possibility of absconding of the applicant, creating hurdle in the investigation and commission of serious offence. Therefore, application may be rejected.

4. Heard both sides. Perused report and case diary. From the report it prima facie appears that, on account of sharing of post on WhatsApp group there was verbal clash in between applicant and informant. It is case of the informant that on 19/06/2025 the applicant has threatened her. The call has been recorded by informant. Thereafter the informant has lodged N.C. case against the informant. On 18/07/2025 co-accused Kantabai has lodged N.C. case against the informant. On 05/08/2025 co-accused Kantabai has abused the informant and told her that “मला विचारल्याशिवाय तु हिवरे गावात यायचे व राहायचे नाही व गावातील कोणत्याही सोशल मिडीया ग्रुपवर तु सामील व्हायचे नाही कारण तु चांभाराचा आहेस. तुझी लायकी काय आहे रे आमच्यासमोर, माझ्या जावयास सांगून तुझा कायमचा काटा काढीन, तो मोठा अधिकारी आहे, मी समाजसेविका आहे व माझा दबदबा आहे, तुझ्यावर खोटा गुन्हा दाखल करते”.

5. From the report and case diary it prima facie appears that the first incident i.e., sharing of post on WhatsApp group took place on 18/06/2025, whereas the second incident took place on 19/06/2025 wherein there is role of applicant. The informant lodged N.C. case about incident dated 18/06/2025

and 19/06/2025. However in report dated 03/01/2026 again she has repeated the incident dt. 18/06/2025 and 19/06/2025 and therefore the applicant has been arrayed as accused which clearly violates Article 20(2) of Constitution of India. Besides, in the incident dated 19/06/2025 the applicant has not given caste abusals intentionally in order to humiliate the informant in public place. Vague allegations are made with respect to the incident dated 19/06/2025. In the incident dated 05/08/2025 there is no role of applicant. Hence, prima facie there is no case against the applicant. In such circumstances if application is allowed, then there is no possibility of tampering or pressurizing the witnesses and evidence. Hence, present application deserves to be allowed. Resultantly, following order is passed.

ORDER

1. Anticipatory bail application is allowed.
2. In the event of arrest of applicant **Komal Kumar Thavare @ Swati Machindra Gund**, she be released on executing P.B. and S.B. of Rs. 20,000/- (Rupees Twenty Thousand only) in Crime No. 11/2026 Mohol police station for the offences punishable under sections 3(1)(r) and 3(1)(s) of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act and under section 351(2), 351(4) & 352 of Bharatiya Nyaya Sanhita on following conditions :-
 - (i) The applicant shall not pressurize and threaten the witnesses.

(ii) The applicant shall not commit any offence in future.

(Dictated and pronounced in open court).

(Suraj V. Kendre)
Additional Sessions Judge,
Solapur.

Date : 31/03/2026

CERTIFICATE

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

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| (a) | Name of the Stenographer | : Kore Mahesh Arjun, Stenographer (Grade-I) |
| (b) | Court | : Adhoc District Judge-1 Solapur. |
| (c) | Date of Judgment | : 31/03/2026 |
| (d) | Order signed by the
Presiding Officer on | : 31/03/2026 |
| (e) | Order uploaded on | : 02/04/2026 |