

MHST1900005482025

**IN THE COURT OF ADDITIONAL SESSIONS
JUDGE, WAI**



CRIMINAL BAIL APPLICATION NO. 186 OF 2025

Vikram Vasant Erande,
Age- 32 years, Occ. Service,
Resident at Shahir Chauk, 278,
Gangapuri, Wai, Tq.Wai,Dist.Satara.

... Applicant

..Versus..

State of Maharashtra
(through APP Wai,
P.I. Police Station, Panchgani)

... Non-applicant

Structured framework as per Order of the Hon'ble Supreme Court of India in Cr. Appeal No.825 of 2026 Arising out of SLP (Cri.) No.12669 of 2025) in Zeba Khan Vs. State of U.P

(A) CASE DETAILS

FIR No. & Date	C.R.No. 204/2025 dated 19.08.2025
Police Station District & State	Pachgani Police Station, Taluka Wai, District Satara, State- Maharashtra.
Section invoked	111(1), 111(2)(b), 111(3), 111(4), 140(3), 204, 115(2), 351(2), 351(3), 352, 142 & 3(5) of Bhartiya Nyaya Sanhita, 2023.
Maximum Punishment prescribed	140(3): 7 years imprisonment with fine. 111(2)(b): Not less than five years, but may extend to imprisonment for life and

fine.

(B) CUSTODY & PROCEDURAL COMPLIANCE		
	Date of Arrest	NA
	Total period of custody undergone	NA
(C) STATUS OF TRIAL		
	Stage of proceeding (Investigation / Charge-sheet / Cognizance / Framing of Charges / Trial)	Investigation
	Total number of witnesses cited in the charge-sheet.	NA
	Number of prosecution witnesses examined	NA
(D) CRIMINAL ANTECEDENTS		
1.	FIR No & Police Station	88/2022 of Bhuinj Police Station.
	Sections	324, 323, 504, 506 r/w.34 of IPC.
2.	FIR No & Police Station	318/2024 of Wai Police Station.
	Sections	333, 131, 155(2), 352, 351(2)(3), 3(5) of BNS, 2023.
	Status (Pending / Acquitted / Convicted)	Pending.
3.	FIR No & Police Station	464/2024 of Wai Police Station.

	Sections	135 of Indian Electricity Act.
	Status (Pending /Acquitted / Convicted)	-
4.	FIR No & Police Station	10/2016 of Wai Police Station.
	Sections	85(1) of Maharashtra Prohibition Act
	Status (Pending /Acquitted / Convicted)	-
5.	FIR No & Police Station	162/2021 of Wai Police Station.
	Sections	354, 452, 342, 323, 504, 506, 510 r/w 34 of I.P.C.
	Status (Pending /Acquitted / Convicted)	-
		The FIR at Sr.No.3, 4 & 5 are mentioned in Say given by defacto informant.
(E) PREVIOUS BAIL APPLICATIONS		
	Court	First Anticipatory Bail Application
	Case No.	--
	Outcome of case	--
(F) COERCIVE PROCESSES		
	Whether any Non-Bailable Warrant was issued	NA
	Whether declared as proclaimed offender	NA

ORDER BELOW EXH.1
(Passed on : 23.03.2026)

The applicant-accused Vikram Vasant Erande has filed this application under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023 (for short 'B.N.S.S.') for pre-arrest bail in connection with Crime No. 204/2025 registered with Pachgani Police Station, for the offences punishable under Sections 111(1), 111(2)(b), 111(3), 111(4), 140(3), 204, 115(2), 351(2), 351(3), 352, 142 & 3(5) of Bhartiya Nyaya Sanhita, 2023.

2] It is contended that there is long standing civil dispute between the informant and co-accused Bharat Anant Gharat, resident of Turbhe, Navi Mumbai in respect of agriculture land situated at Wai. There are other criminal cases relating to the said civil dispute. The applicant-accused has been falsely implicated in the present crime. He is totally innocent having nothing to do with the alleged offence. The name of the applicant-accused doesn't appear in the FIR lodged by the informant. The allegations in the FIR are only against co-accused Bharat Gharat and certain unknown persons. No specific overt-act attributed against the present applicant-accused. There is no previous enmity between the informant and the applicant-accused. Nothing is left to be recovered or discovered at the hands of the applicant-accused. The offence is triable by the Magistrate. The applicant-accused has no criminal antecedents. He is ready to abide by the conditions which would be imposed. Hence, this application.

3] The prosecution filed reply vide **Exh.8** and resisted this application by contending that the applicant-accused and co-accused have committed serious offence. The applicant-accused has criminal antecedents. The applicant-accused and co-accused committed the offence of abduction with intent to secretly and wrongfully confine the informant by pretending to be a police personnel. The co-accused are yet to be arrested. If the applicant-accused is enlarged on bail, then there is possibility of threatening the prosecution witnesses. The applicant-accused and co-accused are the members of Organized Crime Syndicate so the Sections 111(1), 111(2)(b), 111(3), 111(4) of Bhartiya Nyaya Sanhita, 2023 are added in this crime. The applicant-accused is absconding since the incident. So urged to reject the application.

4] The defacto informant also filed reply vide **Exh.10** and resisted this application by contending that the punishment provided for the offence punishable under Section 140(2) of B.N.S. is death or life imprisonment. It is triable by the Court of Sessions. The applicant-accused is habitual offender with criminal antecedents of C.R.No. 88/2022 registered with Bhuinj Police Station, C.R.No.464/2023, C.R.No.318/2024, C.R.No.10/2016 and C.R.No.162/2021 registered with Wai Police Station. The applicant-accused and co-accused have committed serious offence of abduction. They have also got executed certain document like compromise by putting the victim under fear and by secretly confining him in the house of co-accused. So urged to reject the application.

5] Heard the Ld. Advocate appearing for the applicant-

accused, Ld. A.P.P. for the prosecution, so also the Ld. Advocate appearing for the defacto informant.

6] The Ld. Advocate appearing for the applicant-accused submitted that the name of the applicant-accused is nowhere mentioned in the FIR. He has been falsely involved and he has not committed any offence. He is ready to co-operate with the investigation.

7] Per Contra, the Ld. A.P.P. submitted that the applicant-accused has committed serious offence of abduction with intention to confine the defacto informant secretly. The applicant-accused and co-accused have got executed a document in writing about compromise, so as to submit it before the Hon'ble High Court. The applicant-accused is habitual offender having criminal antecedents. He submitted that the applicant-accused has suppressed criminal antecedents, so he is not entitled for discretionary relief of pre-arrest bail without making any exceptional circumstances. To support this submission, reliance is placed on the judgment of the Hon'ble Apex Court in case of **Zeba Khan Vs. State of U.P. & Ors.** [2026 ALL SCR (Online) 90] and **Balmukund Singh Gautam Vs. State of Madhya Pradesh** [2026 ALL SCR (Online) 98].

8] This Court carefully gone through the submissions at Bar, the material on record including the police papers and the documents produced from both sides. On perusal of the FIR lodged by the defacto informant, it appears that there is civil dispute between him and Bharat Gharat vide Reg.Civil Suit No.72/2021. The informant has lodged the complaint against the co-accused Bharat and others for extortion. The

co-accused Bharat Gharat has also filed a criminal complaint against the defacto informant. Accordingly the C.R.No.134/2025 came to be registered against the defacto informant in A.P.M.C. Police Station Navi Mumbai vide C.R.No. 134/2025 and the defacto informant has been granted protection of pre-arrest bail by the Hon'ble High Court. With this earlier history of civil and criminal cases against each other, the defacto informant narrated the incident dated 17.08.2025.

9] It is alleged that on 17.08.2025 at about 2:00 p.m. while the informant was returning towards his home in vehicle Wagan-R car from his office situated at Bhoose at that time, two unknown persons gave stop signal to the informant. Out of it one person was wearing white shirt and another was wearing brown T-shirt. The person wearing white shirt inquired with the informant about room on rent. At that time, the defacto informant told them that they will get room after going at some distance towards down side. Thereafter, the person wearing white shirt told him that they are police personnel from Crime Branch, New Mumbai and there was arrest warrant against him, so they came to arrest him. The defacto informant asked them for identity card and arrest warrant. That time, the said persons forcibly pushed him into the car and started proceeding towards Mahabaleshwar side by saying that they are taking him to Panchgani Police Station. When he asked to the said persons about informing the fact of his arrest to his family members, that time, the person wearing brown T-shirt abused and threatened to keep quiet. Then the said persons took the car towards Mahabaleshwar side and then towards Poladpur. The said persons threatened to the informant to keep quiet else they will involve him in the offence under Section 353 of

I.P.C. Then they took the car to Mangaon via Wada-Umbroshi Poladpur. Then Bharat Gharat and another person joined with them by another vehicle. They took defacto informant at the house of the co-accused Bharat Gharat. Said Bharat Gharat slapped him and asked to call the Advocate. They confined him overnight and got obtained compromise deed under life threat, so as to submit it before the Hon'ble High Court for pre-arrest bail. The defacto informant signed on the said compromise due to life threat. Thereafter, he was released.

10] It is submitted that the FIR was lodged against the unknown persons. However, the Ld. A.P.P submitted that the applicant-accused was one of the said two unknown persons, who abducted the defacto informant by threatening that they are the police persons from Crime Branch Mumbai. In such circumstances it cannot be said that the name of the applicant-accused is not mentioned in the FIR.

11] The applicant-accused has mentioned in the application that he has no criminal antecedents, however, the reply filed by the defacto informant and the Investigating Officer clearly shows about multiple crimes registered against the applicant-accused in Bhuijn and Wai Police Station for the bodily offences. The applicant-accused has suppressed the fact of his criminal antecedents. The applicant-accused and the co-accused have committed the serious offence of abduction for confining secretly the informant with intent to get executed certain document from him. The Investigating Officer further has also taken the objection on the ground that the applicant-accused and the co-accused are the members of an Organized Crime Syndicate.

12] Considering the nature of the offence and the grounds mentioned by the Investigating Officer for custodial interrogation of the applicant-accused, the applicant-accused doesn't deserve for protection of pre-arrest bail. Hence, the following order.

ORDER

1. The application is hereby rejected.
2. Inform to the concerned Investigating Officer.

Wai
Date: 23.03.2026

(D.B.Mane)
Addl. Sessions Judge, Wai.