

MHPU380033212026



(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                 | 574/2026<br>18/06/2026                                                                                                                          |
| (b) | Police Station, District and State. | Shirur, Pune<br>Maharashtra                                                                                                                     |
| (c) | Sections invoked.                   | Section 109, 118(1),<br>115(2), 351(2)(3), 352,<br>3(5) of the Bharatiya Nyaya<br>Sanhita, 2023 and U/s. 7 of<br>Criminal Law Amendment<br>Act. |
| (d) | Maximum punishment prescribed.      | 10 years.                                                                                                                                       |

B) CUSTODY AND PROCEDURAL COMPLIANCE.

- |      |                                    |     |
|------|------------------------------------|-----|
| (i)  | Date of arrest.                    | NIL |
| (ii) | Total period of custody undergone. | Nil |

C) STATUS OF TRIAL

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

D) **CRIMINAL ANTECEDENTS.**

- 1) FIR no. And Police Station.
- 2) Sections
- 3) Status (pending/acquitted/ convicted).

1) 347/19 Shirur P.S. 2) 732/21 Shirur P.S. 3) 746/18 Shirur P.S.  
 1) 324,323,504,506, 143, 147,148,149,341 of IPC 2) 324, 323, 504,143,147, 148, 149 of IPC, 4(25 of Arms Act, Sec. 3(1)(5), 3(2) (A) of Atrocity Act 3) 307,363,143,147,149 of IPC & 3(25) of Arms Act  
 Pending

E) **PREVIOUS BAIL APPLICATIONS.**

- A) Court.
- B) Case No.
- C) Outcome of the cases.

Nil.  
 Nil.  
 Nil.

F) **COERCIVE PROCESSES.**

- a) Whether any Non-bailable warrant was issued.
- b) Whether declared a proclaimed offender.

Nil.  
 Nil.

**ORDER BELOW EXH. 1**

1. This is an application taken out by **applicant/accused No. 2 Shubham Dnyandeo Kale** U/Sec. 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for releasing him on anticipatory bail in crime No. 574/2026 of Shirur Police Station, Dist- Pune for offence punishable under Sections 109, 118(1), 115(2), 351(2),(3), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sec. 7 of the Criminal Law Amendment Act, 1932.

2. In short, it is the case of prosecution that informant Dattatray Nanaso Kale, had constructed a farm bandh to store

water of Ghodnad river but on 18.06.2026, the applicant alongwith remaining accused persons came on motorcycle and broke the said bandh. When the informant inquired them about it, the accused persons assaulted informant and his brother Akshay Kale with iron rod on their head and other parts of the body and tried to commit their murder. After the incident, the informant 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. Apprehending arrest, the applicant/accused No. 2 has moved present application for anticipatory bail.

3. Investigation Officer strongly resisted the application by filing say dated 27.07.2026 and prayed for rejection of the application.

4. Informant and injured appeared in persons and gave affidavit stating no objection for granting bail to the applicants.

5. Ld. Advocate Shri. A. B. Thorat for the applicant /accused No. 2 took me through the case papers and submitted that no such incident has occurred and out of mistake, the informant has lodged complaint against the applicant. He further submitted that even otherwise none of the injuries on the informant or injured are life threatening injuries and they are already discharged from the hospital. He further submitted that the informant and injured Akshay have appeared in persons

and have filed affidavit stating no objection for granting bail to the applicant. He further submitted that till date most of the investigation has already been completed and there is nothing to be recovered or discovered from the possession of the applicant and so there is no need of his custodial interrogation. He further submitted that the accused No. 1 and 3 are already released on bail by this Court and the role of present applicant is similar to them and so, the applicant is entitled for bail on the ground of parity also. He further submitted that the applicant is sole earning member of his family. 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 Smt. V. R. Raut for the State took me through the case papers and submitted that the alleged offence is serious in nature and there is prima facie case against the applicant. She further submitted that their investigation is in progress and yet charge-sheet is to be filed and if the applicant is granted bail, then there is possibility of tampering of prosecution witnesses and absconding of accused and as such, prayed for rejection of the application.

7. Perused the application & say filed by the investigating officer and the record. Heard ld. Advocate for both

sides. Perused the case papers and the documents placed on record. Although the complaint discloses that the applicant along with remaining accused persons had beaten the informant Dattatray Nanasaheb Kale and injured Akshay Nanasaheb Kale however, the informant and said Akshay who are victim of the offence have appeared personally before the Court in the matter through Ld. Advocate Smt. V. P. Kothimbire and filed affidavit dated 29.07.2026 and they have given no objection for granting bail to the applicant. Therefore, there appears no prima facie case against the applicant.

8. Till date, most of the investigation is already completed. There is nothing to be recovered from the possession of the applicant and so there appears no need of custodial interrogation of the applicant. Remaining accused persons are already released on bail by this Court vide Bail Application No. 355/2026 and role of applicant is similar to them and so the applicant is entitled for bail on the ground of parity also. Applicant is sole earning member of his family. He is permanent resident of given address and so there is no question of absconding. He has no criminal antecedents. So far all the apprehension of the prosecution is concerned, the same can be taken care of by imposing stringent conditions while releasing the applicant on bail.

9. For aforesaid reason, in my opinion, the applicant has made out a case for grant of bail. Therefore, this application

deserves to be allowed. Resultantly, the following order :-

**ORDER**

- 1] Application (Exh. 1) is allowed.
- 2] In the event of arrest in Crime No. 574/2026 registered with Shirur Police Station for the offences punishable U/Sec. 109, 118(1), 115(2), 351(2),(3), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sec. 7 of the Criminal Law Amendment Act, 1932, applicant/ accused No. 2 **Shubham Dnyandeo Kale** be released on bail on his executing PR Bond of Rs. 50,000/- with solvent surety in the like amount, on following conditions :
  - a) He shall cooperate with investigating agency as and when called upon.
  - b) He shall attend concerned police station as & when called by the investigation officer till filing of charge-sheet and to cooperate in investigation.
  - c] He shall not tamper or pressurize the prosecution witnesses and evidence in any manner.
  - d] He shall produce documents showing his photo identity, permanent address and contact number before the Investigating officer.
- 3] Breach of any of the conditions mentioned above, shall make applicant liable for cancellation of bail.

4] Inform concerned police station accordingly.

Ghodnadi-Shirur.  
Date:06/08/2026

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