

MHPU380033882026



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

A) CASE DETAILS

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|-----|-------------------------------------|--|
| (a) | FIR Number and Date | 619/2026
13.07.2026 |
| (b) | Police Station, District and State. | Shikrapur, Pune
Maharashtra |
| (c) | Sections invoked. | Section 109, 3(5) of the
Bharatiya Nyaya Sanhita,
2023 . |
| (d) | Maximum punishment prescribed. | Life |

B) CUSTODY AND PROCEDURAL COMPLIANCE.

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

C) STATUS OF TRIAL

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|----|--|------|
| 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.**

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

E) **PREVIOUS BAIL APPLICATIONS.**

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

F) **COERCIVE PROCESSES.**

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

ORDER BELOW EXH. 1

1. This is an application filed by **applicant/ accused No. 1 Santosh Sarjerao Modak** U/Sec. 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for releasing him on anticipatory bail in crime No. 619/2026 of Shikrapur Police Station, Dist- Pune for offence punishable under Sections 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. In short, it is the case of prosecution that on 12.07.2026 at 02.25 pm while the informant Chetan Ganpat Hargude was proceedings on Activa Scooter alongwith his cousin brother Atharv Navnath Hargude, the accused Nos. 1 and

2 in furtherance of their common intention, on account of previous dispute between them dashed their Mahindra Thar vehicle having no registration number to their scooter and caused life threatening injuries to them. 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. 1 has moved present application for anticipatory bail.

3. Investigation Officer strongly resisted the application by filing say dated 06.08.2026 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. V. V. Dushing for the applicant /accused No. 1 took me through the case papers and submitted that no such incident has occurred and even there is no role of the applicant in the alleged crime and only 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 Atharv have appeared in person 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 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. Shri. Gahlot 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. He 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. On perusal of complaint it appears that there is no direct allegation on the applicant. Although the alleged offence is serious in nature, however, the informant and said Atharv who

are victim of the offence have appeared personally before the Court in the matter through Ld. Advocate Shri. S. D. Narwade and filed affidavit dated 06.08.2026 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. Applicant is sole earning member of his family. He is permanent resident of given address and so there is no question of absconding. Mere pendency of certain crime which accordingly to the applicant have already been disposed off does not amount to 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. 619/2026 registered with Shikrapur Police Station for the

offences punishable U/Sec. 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023, applicant/ accused No. 1 **Santosh Sarjerao Modak** 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.