

IN THE COURT OF SESSIONS JUDGE, AT PUNE.

(Before : Shri. A. K. Sharma)

Additional Sessions Judge, Pune.

CNR NO.MHPU010081372026	CRIMINAL BAIL APPLICATION NO. 3783/20226
	Kanhoji Dayanand Jedhe and ors. Vs. State of Maharashtra Through P. S.O. P. S. Bharati Vidyapeeth in Crime No. 108/2026

ORDER BELOW BAIL APPLICATION

(Passed on:27/07/2026)

{Table as per the Judgment of Hon'ble Supreme Court of India in Criminal Appeal No.825 of 2026 [Arising out of SLP (Cri.) No.12669 of 2025] Zeba Khan Vs. State of U.P and others, 2026 INSC 144.}

(A) Case Details :

FIR Number & Date	108/2026, dated 21/03/2026
Police Station, District and State	Bharati Vidyapeeth, District- Pune (Maharashtra)
Sections invoked	Section 85, 115(2), 351(2), 352, 3(5) of Bharatiya Nyaya Sanhita
Maximum punishment prescribed	Imprisonment for three years

(B) Custody & Procedural Compliance :

Date of Arrest	Not applicable.
Total period of custody undergone	Not applicable.

(C) Status of Trial :

Stage of proceeding (Investigation/Charge-sheet/Cognizance/Framing of Charges/Trial)	Charge-sheet filed bearing RCC No.2364/2026
Total number of witnesses cited in the charge-sheet	3
Number of prosecution witnesses examined	4

(D) Criminal Antecedents :

FIR No. & Police Station	108/2026 Bharati Vidyapeeth
Sections	85, 115(2), 351(2), 352, 3(5) of BNS
Status (pending/Acquitted/convicted)	Nil

(E) Previous Bail Applications :

Court	Nil.
Case No.	Nil.
Outcome of case	Nil.

(F) Coercive Processes :

Whether any Non-Bailable Warrant was issued	No.
Whether declared a proclaimed offender	No.

The Application :

The applicants – **Kanhoji Dayanand Jedhe, Vandana Dayanand Jedhe and Dayanand Mansinghrao Jedhe** have moved present application for grant of anticipatory bail vide Section 482 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (BNSS) in relation to the offence noted in the table above for which maximum punishment for offence under Section 85 is three years.

Jurisdiction and Legal Framework :

2. This Court has jurisdiction to entertain an application for regular bail under section 482 of the BNSS.

Prerequisites factors for bail :

3. This Court has to consider the factors that generally guide in the exercise of discretion vide section 482 of the BNSS. The Court has to balance the presumption of innocence with the interest of justice and the integrity of the investigation.

Findings and the Present Case :

4. The informant lodged report alleging that the accused No.1 is her husband and after marriage, she had been to reside with her husband and his parents. However, since 20/11/2019 till lodging of the report, the husband and his parents have subjected the informant to physical and mental cruelty. Her husband always claiming money and beaten her mercilessly and also threatened her to misuse her photographs. Therefore, the informant lodged report against accused, on the basis of said report, present crime has been registered.

5. Smt. P.B. More, learned counsel for the applicants/accused has submitted that the accused are innocent and have not committed any offence. However, the informant has falsely implicated them in the present crime. It is further submitted that the informant herself has subjected the applicant/accused No.1 to ill-treatment and she herself had left the matrimonial company on 03/12/2023 without any justifiable cause and therefore applicant No.1 has filed petition for divorce before the family court, Pune vide PA No.684/2026 long back on 11/03/2026.

6. Being aggrieved of the said HM petition, the informant has lodged false FIR on 31/03/2026 i.e. after the petition for divorce. Applicant No.2 and 3 are the parents of the applicant No.1 and have no nexus with the present crime, even then the informant falsely implicated them in this crime.

7. Apart from the above, it is submitted that the allegations in the FIR are after thought and holds no field. In fact, it is counter blast to the HM Petition filed by her husband. It is lastly submitted that the IO has filed charge-sheet before the court of learned JMFC, Pune vide RCC No.2364/2026 and the applicants are ready to cooperate the IO and abide by each and every condition for confirmation of interim anticipatory bail.

8. *Per contra*, Shri. C.S. Salvi, learned APP has strongly resisted instant application by relying on the say of the I.O. vide Exh.07 and submitted that the informant is the wife of applicant/accused No.1 and applicant No.2 and 3 are the parents of her husband. It is further submitted that the IO has raised apprehension that offence is serious one and if applicants be enlarged on bail, they will hamper and tamper the prosecution witnesses and will threaten the informant. It is accordingly submitted that the application has no merits and liable to be rejected.

9. Having heard learned APP and learned counsel for the applicants/accused and having gone through the FIR and reply of the I.O. vide Exh.07, it needs to be observed at the threshold that the applicants have filed a copy of HM Petition No.684/2026, which prima facie shows that

there is pending matrimonial dispute amongst the applicant No.1 and the informant. Moreover, Para No.23 of the said petition further reveals that since 03/12/2023, the informant is residing at the house of her parents. At the same time, the FIR was lodged on 21/03/2026. In this backdrop, it prima facie appears that there is delay of about three years for lodging the report. That apart, vide order below Exh.4 dated 17/07/2026, interim protection was granted to the applicants and there is no whisper in the say of the IO that the applicants have not cooperated him in respect of investigation of the present crime.

10. Above from the above, the investigation of the present crime is already completed and charge-sheet was filed before the learned JMFC Court vide RCC No.2364/2026. In the light of this factual aspect, it is amply clear that the investigation is already completed and nothing remained to be recovered or interrogated from the applicants/accused. At the same time, there is no whisper in the say of the IO that the applicants are at flight risk and have criminal antecedents. That apart, the offence levelled against accused is not punishable for more than seven years. In such attending circumstances, the applicants have made out reasonable ground for enlargement on anticipatory bail.

11. It is equally worth that the apprehension of learned APP and IO can be taken care of by imposing certain stringent conditions while enlarging the applicants on anticipatory bail. With these observations, in the interest of justice, I proceed to pass the following order :

ORDER

1. Application is allowed.
2. In the event of arrest in connection with the Crime No.258/2026 registered with Bharati Vidyapeeth Police Station under Section 85, 115(2), 351(2), 352, 3(5) of Bharatiya Nyaya Sanhita, the applicants **Kanhoji Dayanand Jedhe, Vandana Dayanand Jedhe and Dayanand Mansinghrao Jedhe** be released on bail on executing their P.B. and S.B. of Rs.50,000/- each on the following conditions that -
3. the applicants shall not hamper and tamper with the prosecution witnesses in any way.
4. the applicants shall file aadhar cards of their two relatives with their residential proof and mobile number while furnishing bail.
5. In case of breach of any of the above conditions, the prosecution is at liberty to file application for cancellation of bail.
6. Copy of this order be forwarded to concerned Police station for information.
7. Dictated in open court.

Date : 27/07/2026.

(A. K. Sharma)
Additional Sessions Judge,Pune.

CERTIFICATE

I affirm that the contents of this P.D.F file order/judgment are same, word to word, as per the original order/judgment.

Name of the Steno	Smt. B.J.Khandre, Grade I
Court Name	(A. K. Sharma) Addl. Sessions Judge, Pune.
Date of order	27/07/2026
Order signed by the presiding officer on	27/07/2026
Order uploaded on	27/07/2026