

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 372 OF 2021

Ghanshyam Dilip Jagdale ... Applicant

Versus

The State of Maharashtra ... Respondent

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Ms. Rati Simhasane i/b. Mr. U. R. Mankapure, Advocate for the Applicant.

Ms. Veera Shinde, APP for the Respondent – State.

Mr. Vijay L. Panhad, (P.S.I.) Hill Line Police Station, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 16th MARCH, 2021

PER COURT:

1. This is an application for bail. The applicant is arrested in C.R. No. 301 of 2020 registered with Hill Line Police Station, Dist. Thane, for offences under Sections 302, 201, 406, 411 of Indian Penal Code (for short “IPC).

2. The case of the prosecution is that missing complaint was filed by father of victim on 17th November, 2020. During investigation, C.D.R. of the cell phone of victim was verified and inquiry was made with relatives. It was found that the maximum conversation by the victim was with suspect Deepak Goklani. It was

revealed that there was financial transactions between missing person and Deepak Goklani. Inquiry was made with Deepak Goklani. He gave evasive answers. Thorough inquiry was made with Deepak Goklani. He disclosed that the victim had threatened him that he would make his objectionable video viral. There was money transactions between them. He also confessed that on 16th November, 2020 he had strangulated the victim. Hence, First Information Report was registered under Section 302 of IPC against accused Deepak Goklani. Investigation proceeded. Deepak Goklani was arrested on 19th November, 2020, Rohit Pacharane was arrested on 20th November, 2020 and Vijay Hinduja was arrested on 29th November, 2020. The name of the victim was Pavan Kailas Acchara. The applicant was arrested. On completing investigation, charge-sheet was filed.

3. The applicant preferred an application for bail before the Sessions Court at Kalyan. The said application was rejected by order dated 4th January, 2021.

4. Learned Advocate for the applicant submitted that the only allegation against the applicant is that co-accused has sold gold ornaments to the applicant. He is not concerned with the offence. He is not connected with the murder of victim. The applicant was

arrested on 1st December, 2020.

5. Learned APP submitted that Deepak Goklani had received gold ornaments from the deceased. Deepak Goklani in connivance with the co-accused Rohit Pacharane killed Pavan. Investigation revealed that gold ornaments were sold to the co-accused. Ornaments were recovered from the co-accused.

6. The applicant is in custody for substantial period of time. The only role attributed to the applicant is that he is receiver of stolen property. There is recovery of ornaments from Gul Valecha. He had converted the remaining gold ornaments in lagad and sold it to applicant. Thus, there is not evidence that the applicant was involved in murder. He was allegedly receiver of stole property. It is not reported that there are any criminal antecedents against him. Hence, further custody of the applicant is not necessary.

ORDER

- (i) Criminal Bail Application No. 372 of 2021 is allowed;
- (ii) The applicant is directed to be released on bail in connection with C.R. No. 301 of 2020 registered with Hill Line Police Station, Dist. Thane, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report concerned Police Station once in a month on every first Saturday of the month between

11:00 a.m. to 1:00 p.m. for a period of six months and thereafter, once in three months on first Saturday of the month between 11:00 a.m. to 1:00 p.m till further orders;

(iv) Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)