

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

CRIMINAL BAIL APPLICATION NO.1563 OF 2022

Vipul Ajay Chavan ...Applicant
Versus
The State Of Maharashtra ...Respondent

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Ms. Shubhangi Parulekar a/w Mr. Vipul A.Chavan and Mr. Ajit Pawar,
Advocate for the Applicant.

Mr. A. A. Palkar, APP for the Respondent – State.

CORAM : PRAKASH D. NAIK, J.

DATE : 4th OCTOBER, 2022.

PER COURT:

1. The applicant is arrested on 1st June, 2020 in connection with CR No.234 of 2020 registered with Chikhali Police Station, District Pune, for the offences punishable under Sections 302, 141, 143, 147, 148 149 of the Indian Penal Code.

2. The FIR was registered on 30th May 2020. It is alleged that on 29th May, 2020, complainant's son went out of house. He was assaulted by Ajay Chavan with sickle. He was also assaulted with weapons by Pillya Gaikwad, Ashutosh Kadam. 3 to 4 others assaulted by fist and kick blows. The complainant alleged that the accused has assaulted his son with weapons. The applicant was not named in the FIR. The statement of Omkar Balaji Karsule was recorded on 20th

June, 2020. In the said statement, it was stated that the applicant – Abhay Survase, Omkar Shirgore, Ajay Chavan, Pillya Gaikwad assaulted Aniket Randive with weapons. It is pertinent to note that the supplementary statement of complainant was recorded on 2nd June, 2020 wherein the complainant has stated that the persons who murdered his son were Ajay Chavan, Pillya Gaikwad, Ashitosh Kadam, Vipun Chavan, Abhay Survase and Omkar Shirgore. After Aniket was lying injured on road, Omkar Shirgore threw cement block on his head. Accused Vipul Chavan, Abhay Survase, Omkar Shirgore are identified by Omkar Karsule. The statement of Omkar Karsule was recorded belately on 20th June, 2020. The version of both witnesses is doubtful. This Court vide order dated 29th September, 2022 granted Bail to Abhay Vikas Survase. He has been attributed similar role. The investigation is complete and chargesheet is filed. The applicant is entitled for Bail.

3. Hence, I pass following order :

::ORDER ::

- (i) Criminal Bail Application is allowed.
- (ii) The applicant is directed to be released on Bail in connection with CR No.234 of 2020 registered with Chikhali Police Station, District Pune, on executing PR Bond in the sum of Rs.25,000/- with

one or more sureties in the like amount.

- (iii) The applicant shall remain outside the Pune District except for attending date of trial till further orders.
- (iv) The applicant shall not tamper with the evidence.
- (v) Criminal Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)