



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

BAIL APPLICATION NO. 1269 OF 2023

SANTOSH BIRAPPA KALASKAR ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Saumitra Salunke a/w Ms. Swapnali Chavan i/b Mr.
Pradeep Yadav for the Applicant.

Ms. Veera Shinde, APP for the State.

S.D. Ambre, Pimpri Police Station.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 29, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under Sections 307, 504 read with 34 of the Indian Penal Code and Sections 4 and 27 of the Arms Act registered on 11/04/2022 vide C.R. No.225 of 2022 with Pimpri Police Station, Pimpri-Chinchwad.
- 3.** Learned APP opposed the application and submitted that the applicant has a motive to commit the offence and

further submitted that the applicant has used a long sickle for the commission of the offence and one of the injuries is on the vital part. It is further submitted that the applicant inflicted grievous injury on the left forearm of the victim. It is also submitted that even after the marriage of the informant, the applicant was constantly pressurizing the informant's wife as it is alleged that the applicant was, prior to the marriage, interested in a relationship with the informant's wife.

4. My attention is invited to the order dated 25/10/2023 passed by this Court in respect of the co-accused Aditya Dipak Teli in Bail Application No. 2344 of 2023. Co-accused Aditya Dipak Teli is also accused of causing grievous injury to the victim. The relevant portion of the order dated 25/10/2023 reads thus:

"3. According to the prosecution, on 11 April 2022, the present applicant and other co-accused assaulted the complainant/injured by koyta, etc. and attempted to kill him due to previous dispute with co-accused Santosh Kalaskar.

4. The applicant is in jail for about one and half years. The trial has not yet commenced. There are no other criminal antecedents.

5. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail."

5. The applicant is in custody since 12/04/2022. In the facts and circumstances of the present case, I am inclined to enlarge the applicant on bail. There are no criminal antecedents reported against the applicant. Hence, the following order:-

ORDER

(a) The application is allowed.

(b) The applicant- Santosh Birappa Kalaskar in connection with C.R. No.225 of 2022 registered with Pimpri Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.

(d) The applicant shall attend the Investigating Officer of Pimpri police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person

acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(f) The applicant shall not threaten, influence, pressurize or intimidate the informant or his wife.

(g) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(h) Except for attending the trial and for the purpose of reporting to the Investigating Officer, the applicant shall not enter the municipal limits of Pimpri-Chinchwad after being released on bail, till the trial concludes.

(i) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(j) If the applicant breaches any of the conditions, the prosecution is at liberty to apply for cancellation of bail.

6. The application is disposed of.

(M. S. KARNIK, J.)