

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2887 OF 2021

Savan N. Jadhav ...Applicant
V/s.
The State of Maharashtra ...Respondent.

Mr. Aniket Nikam i/b Mr. Vivek N. Arote for the Applicant.
Mr. P.H. Gaikwad-Patil, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 02.03.2023.

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No.288 of 2018 registered at Hinjewadi Police Station, Pune city for the offences punishable under Sections 302, 397 read with 34 of the Indian Penal Code.
3. I have heard the learned counsel for the applicant and the learned APP for the respondent - State.
4. The bail is sought on the ground of parity. In support of the said ground, the learned counsel for the applicant has produced on record the copy of order passed by this Court dated 19 December 2022 in Criminal Bail Application No. 296 of 2022. By the said order, this Court has released the co-accused Pawan Jadhav on bail.

5. The deceased Ashwini and the deceased Anuj were the wife and the son respectively of the co-accused Datta Bhondve. According to the prosecution, the co-accused Datta Bhondve had illicit relations with co-accused Sonali Javale and he wanted to marry her. It is alleged that thus they decided to kill the deceased Ashwini and contract of it was given to the present applicant and co-accused Pavan Jadhav. It is alleged that pursuant to the said contract on 9 June 2018, the present applicant and other co-accused Pawan Jadhav committed the murder of the deceased Ashwini and her son Anuj.

6. I have perused the statement of witness Ramzan Shaikh. The learned counsel for the applicant is right in submitting that the role attributed to the present applicant and co-accused Pawan Jadhav is identical.

7. The learned APP submits that there is recovery of knife at the instance of present applicant. However, that will not make any difference as deaths are caused by strangulation and smothering. I am therefore, inclined to release the applicant on bail on the ground of parity. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No.288 of 2018 registered at Hinjewadi Police Station, Pune city for the offences punishable under Sections 302, 397 read with

34 of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station once in a month, i.e., on first Saturday between 11:00 a.m to 1:00 p.m. till conclusion of trial.

[N.R.BORKAR, J.]