

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2524 OF 2022**

Sunil Bhagwan Hiwale

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Rupesh Bobade for the Applicant.

Mr. P.H. Gaikwad Patil, APP for the State.

.....

CORAM : N.R. BORKAR, J.

DATED : 22 FEBRUARY 2023

P.C. :-

This is an application under Section 439 of the Code of Criminal Procedure, 1973 for bail.

2. The applicant came to be arrested in Crime No. 11 of 2021 registered at Sangvi Police Station, Pimpri-Chinchwad for the offences punishable under Sections 307, 120-B of the Indian Penal Code, Section 3 r/w. 25 of the Arms Act and Sections 37(1) r/w. 135 of the Maharashtra Police Act, 1951.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, the co-accused Jaspreet Singh had given contract to the applicant to kill the complainant. It is alleged that

the same was done as the wife of the complainant, prior to her marriage, had love affair with the said co-accused Jaspreet Singh. It is alleged that thus on the date of incident which took place on 9 January 2021 the co-accused Anand Ingle fired gun shot at the complainant and attempted to kill him.

5. The applicant is in jail for about two years. This Court has already released co-accused Jaspreet Singh on bail. Considering the overall facts and circumstances and as there are no other criminal antecedents, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant- Sunil Bhagwan Hiwale shall be released on bail in Crime No. 11 of 2021 registered at Sangvi Police Station, Pimpri-Chinchwad for the offences punishable under Sections 307, 120-B of the Indian Penal Code, Section 3 r/w. 25 of the Arms Act and Sections 37(1) r/w. 135 of the Maharashtra Police Act, 1951 on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)