



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

BAIL APPLICATION NO. 3246 OF 2023

POOJA RAMSINGH DHAKALWAR ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Aniket Vagal a/w Mr. Kunal Pednekar a/w Mr. Divesh
Mehani a/w Ms. Savvy Kolhekar for the Applicant.

Mr. N. B. Patil, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 08, 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 302, 201 of the Indian Penal Code registered on 12/08/2018 vide C.R. No.531 of 2018 with Nigadi Police Station, Pune.
- 3.** The accusations of the prosecution are that the present applicant who is accused No.3 had illicit relations with accused No.1 The applicant also had illicit relations with the deceased. It is the allegation of the prosecution

that accused Nos. 1 to 3 have killed the deceased as per the confessional statement of the applicant which the learned counsel for the applicant says is not admissible.

4. Learned APP opposed the application and submitted that there is ample material on record to show the applicant's involvement in committing the murder of the deceased. The circumstance relied upon is last seen statement of a witness. It is further submitted that the trial has commenced and 2 witnesses have already been examined and the prosecution proposes to examine only 15 more witnesses. Therefore, the learned APP requested to expedite the trial instead of enlarging the applicant on bail.

5. The applicant was arrested on 12/08/2018 and is incarcerated for more than 5 years. There are no criminal antecedents recorded against the applicant. The case rests entirely on circumstantial evidence. Though the trial has commenced, the same will take some time to conclude. The applicant will face the consequences post-trial if found guilty. On the ground of long incarceration and the fact that the applicant is a woman, I am inclined to enlarge the

applicant on bail. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Pooja Ramsingh Dhakalwar in connection with C.R. No.531 of 2018 registered with Nigadi Police Station shall be released on bail on her 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 Nigadi police station twice a month, every first and third Sunday 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) On being released on bail, the applicant shall furnish her contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.
- (g) The applicant shall attend the trial regularly. The

applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(h) The applicant shall surrender her passport, if any, to the investigating officer before her release.

(i) The applicant shall not leave Pune district without permission of the trial Court.

6. The application is disposed of.

(M. S. KARNIK, J.)