

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3596 OF 2022**

Vicky Shambhusing SutarApplicant

Versus

The State of Maharashtra ...Respondent

Ms. Shubhangi Parulekar along with Mr. Abhijeet V. Ghule, Advocate for the Applicant.

Mr. Y. Y. Dabke, APP for Respondent-State.

Mr. Nagesh R. Yele, PSI, Pimpri Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th OCTOBER, 2023.

P.C. :

1. By this application, applicant is seeking bail in Crime No.531 of 2017 registered with Pimpri Police Station,Pune, for offences punishable under Sections 307, 120-B, 143, 147, 148 and 149 of Indian Penal Code, 1860, Section 4(25) of Arms Act, Sections 3(1)(ii) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999.

2. It is contention of learned counsel for applicant that co-accused who are involved in present crime have been released on bail by this Court and trial Court. The role attributed to the applicant is on lesser footing in comparison with accused who have been

released on bail. Hence, applicant is entitled for bail on principle of parity.

3. Learned APP, on instructions, fairly submitted that considering the role of applicant, applicant is entitled for bail on principle of parity.

4. I have heard both learned counsel, perused the FIR and charge-sheet.

5. Allegations against applicant are that he along with other co-accused fired at complainant. Co-accused – Sachin Nade and Avinash Nade who allegedly fired at complainant have been released on bail. There is no recovery of pistol at the instance of applicant. As co-accused against whom same allegations are levelled like applicant have been released on bail, applicant is entitled for bail on principle of parity.

6. In view of above, I pass following order :

ORDER

- (i) Applicant be enlarged on bail in Crime No.531 of 2017 registered with Pimpri Police Station, Pune, on executing P.R.Bond in the sum of Rs.50,000/- with one or more sureties in the like amount.

(ii) Applicant shall stay out of the jurisdiction of Pimpri Police Station till conclusion of trial.

(iii) Applicant shall furnish details of his residence to Investigating Officer and shall report the nearest Police Station where he would reside after being released on bail, once in a month on every first Saturday between 10.00 am to 12.00 noon till further orders.

(iv) Applicant shall attend Trial Court proceedings regularly unless exempted for some reason, and shall not tamper with evidence.

7. The application is allowed in the aforesaid terms and is accordingly disposed off.

8. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)