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

BAIL APPLICATION NO.4106 OF 2023

SAHIL DAYAL KUKREJA

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Neelam Sakhare i/b. Adv. Sachin Chandan for the
applicant.

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

PSI - M. N. Waghmare, Ulhasnagar Police Station.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 21, 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, 506 of the Indian
Penal Code (hereafter 'IPC' for short) and under Sections
37(1), 135 of the Maharashtra Police Act registered on
08.05.2023 vide FIR bearing C.R. No.277 of 2023 with
Ulhasnagar Police Station.

3. The FIR was registered on 08.05.2023. The date of
the incident is 08.05.2023. In the morning at around 4.00

a.m. there was some altercation between the injured witness-Sagar Balu Shikalkar and the present applicant. Sagar demanded the return of the handloan of Rs.5,000/- which he had given to the applicant. The applicant refused to return the money and instead assaulted Sagar with fist and kick blows. Thereafter at 5.40 a.m. the applicant suddenly approached Sagar and gave one blow of knife on his stomach and fled away. The victim suffered a grievous injury. The victim was discharged on 12.05.2023.

4. Learned APP while opposing the application for bail submitted that not only the statement of the injured witness shows the complicity of the applicant but even the CCTV footage records that it is the applicant who has committed the offence. Furthermore, the weapon is recovered at the instance of the applicant as well as blood stained clothes. Learned APP submitted that there are following criminal antecedents reported against the applicant :-

(1) Crime No.276 of 2015, Ulhasnagar Police Station under Section 379, 34 of IPC.

(2) Crime No.39 of 2018, Ulhasnagar Police Station under Section 380, 511, 34 of IPC.

(3) Crime No.396 of 2021, Ulhasnagar Police Station under Section 324, 323, 504, 34 of IPC.

(4) Crime No.122 of 2023, Ulhasnagar Police Station under Section 37(1), 135 of IPC.

5. The investigation is complete and the charge-sheet has been filed. The applicant is in custody for more than seven months. The trial is not likely to conclude any time soon. In the facts and circumstances of the present case I am inclined to enlarge the applicant on bail but on stringent conditions. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Sahil Dayal Kukreja in connection with FIR bearing C.R. No.277 of 2023 registered with Ulhasnagar Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more local sureties in the like amount.

(c) The applicant shall attend the Investigating Officer of Ulhasnagar Police Station once in a month

every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(d) 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.

(e) 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.

(f) Except for attending the trial and for the purpose of reporting to the Investigating Officer, the applicant shall not enter the jurisdiction of Thane District after being released on bail, till the trial concludes.

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

6. The application is disposed of.

(M. S. KARNIK, J.)