



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 144 OF 2024

**SANDIP RAICHAND GUNJAL @ DOLASE
VERSUS
THE STATE OF MAHARASHTRA**

**WITH
CRIMINAL APPLICATION NO. 666 OF 2024
IN BA/144/2024**

**SANGRAM S/O SANJAY KOTKAR
VERSUS
SANDIP RAICHAND GUNJAL @ DOLASE AND ANR.**

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Mr. Rahul R. Karpe, Advocate for Applicant.
Mr. S. K. Shirse, APP for Respondent-State.
Mr. S. R. Zambre, Advocate for Applicant.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 12th FEBRUARY, 2024.**

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.136/2018 registered with Kotwali Police Station, Dist. Ahmednagar for the offences punishable under Sections 302, 303, 120-B, 143, 144, 145, 147, 148, 149, 504, 506 r/w 34 of the Indian Penal Code and Section 3, 25 of the Arms Act.

2. Previously the applicant had approached this Court in Bail Application No.856/2023. It was heard on 11.09.2023. After considering the merits of the matter when this Court had shown disinclination to grant bail, request was made to withdraw the application. Accordingly, this Court had permitted the applicant to withdraw the application and to move afresh, in case the trial

is not concluded within a period of one year. Accordingly, the said application was disposed of as withdrawn with aforesaid liberty.

3. It appears that, the applicant had again approached the Sessions Court without waiting for the period of one year as indicated in the order dated 11.09.2023. The learned Sessions Judge vide his order dated 20.12.2023 rejected the application after considering the merits of the matter. Accordingly, the present application is moved before this Court.

4. Apparently, when the previous application was withdrawn with liberty to file fresh application contingent upon progress of trial till September 2024, the present application is premature.

5. Mr. Karpe, learned Advocate appearing for the applicant would submit that since passing of the order by this Court in the month of September 2023, there is no progress in the trial. The learned APP assures that the prosecution would make an endeavour to lead the evidence as early as possible and conclude the trial by September 2024. However, opposes the prayer for grant of bail referring to material available on record.

6. Pertinently, CCTV footage collected during the course of investigation records actual incident. The Sessions Court as well as this Court has considered all these aspects while dealing with the previous Bail Application. The present application is apparently premature in view of the timeline fixed as per previous order passed by this Court. Hence, there is no reason to entertain the present application, particularly when no change in circumstances have been brought on record. Hence, application stands rejected.

7. Criminal Application No.666 of 2024 for assist to APP is accordingly allowed and disposed of.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/February-2024