

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.89 OF 2024

Sandeep @ Chakva Chandrakant Gore Applicant

V/s.

The State of Maharashtra Respondent

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KAMBLE

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Mr.Amrish Salunke, for the Applicant.

Mr.D.S. Haldankar, APP, for the Respondent-State.

Mr.Jambhalikar Gavandi, PSI, Govandi Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 3rd MAY 2024

P.C:-

1. By this Application, the Applicant is seeking bail in Crime No.24 of 2022, registered with Govandi Police Station, for the offences punishable under Sections 307, 326, 504, 143, 147 and 148 of the Indian Penal Code, 1860 ('IPC' for short) and Section 4/25 of the Indian Arms Act, 1959.

2. It is prosecution case that on 19th February 2022, the Applicant and co-accused assaulted the First Informant with knife and sword. It is alleged that, the Applicant and co-accused

had intention to kill the First Informant.

3. It is contention of the learned counsel for the Applicant that Accused No.2-Babu Bhandari has been released on bail by this Court. The allegations against the Babu Bhandari and Applicant are same. Hence, the Applicant is entitled for bail on the principle of parity.

4. It is contention of the learned APP that, the evidence produced on record shows involvement of the Applicant in crime. The Applicant has 19 criminal antecedents. If the Applicant is released on bail he may threaten the prosecution witnesses. Hence, requested to dismiss the Application.

5. I have heard learned counsel for the Applicant and learned APP. Perused FIR and charge-sheet.

6. This Court has released Accused No.2 on bail. The allegations against Accused No.2 and the Applicant are same. The Applicant is behind the bar more than 2 years, yet charges have not been framed. The Applicant is entitled for bail on principle of parity and I pass following order.

ORDER

- (i) The Application is allowed.
- (ii) The Applicant-Sandeep @ Chakva Chandrakant Gore be enlarged on bail in Crime No.24 of 2022 registered with Govandi Police Station, on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (iii) The Applicant shall attend the concerned Police Station once in a month i.e. on first Monday between 11.00 a.m. to 3.00 p.m. till framing of charge.
- (iv) The Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
- (v) The Applicant shall not enter in the Chembur area, where the Complainant and witnesses stays, till

conclusion of the trial.

(vi) The Applicant shall not tamper with evidence or attempt to influence or contact the Complainant, witnesses or any person concerned with the case.

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.)