

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

CRIMINAL BAIL APPLICATION NO. 2051 OF 2023

Suraj Jotiram Aadsul	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Satyavrat Joshi, i/b Samay Pawar, for the Applicant.
Ms. Veera Shinde, APP for the Respondent-State.

CORAM : MADHAV J. JAMDAR, J.

DATED : 9th JANUARY 2024

P.C.:

1. Heard Mr. Joshi, learned Counsel appearing for the Applicant and Ms. Shinde, learned APP appearing for the Respondent/State.

2. This is a regular Bail Application filed under Section 439 of the *Code of Criminal Procedure, 1973* by the Applicant who is the sole Accused.

3. The relevant details are as follows:-

1	C.R. No.	679 of 2022
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2	Date of Registration of F.I.R.	09/11/2022
3	Police Station	Karvir Police Station, District Kolhapur
4	Sections Applied	302 of I.P.C., 1860
5	Date of Incident	08/11/2022
6	Date of Arrest	09/11/2022
7	Date of filing Chargesheet	03/02/2023

4. As per the prosecution case, the Accused and the deceased were knowing each other. Both of them were working for one Lata Harshe and the deceased-Kiran Dinkar Naik had a doubt that the Applicant-Suraj Jotiram Aadsul had spread rumours about illicit relations of daughter of Lata Harshe with other persons and on that count he had started blackmailing the Applicant. As a result of the same the Applicant committed murder of the deceased.

5. In this case the Charge-sheet has been filed on 3rd February 2023. There are total 43 witnesses as per the Charge-sheet. Accordingly there is no likelihood of conclusion of trial in the near future. The trial is likely to take a considerably long time.

6. It is the submission of learned APP that the Applicant was last

seen together with the deceased and recovery of the weapon is at the instance of the Applicant. However as noted earlier, the investigation has been completed and the Charge-sheet has been filed.

7. Mr. Joshi, learned Counsel appearing for the Applicant, on instructions, states that the Applicant does not have any criminal antecedents. The dispute as noted earlier is that the deceased had a doubt that Applicant has spread rumours about illicit relations of daughter of Lata Harshe with other persons and on that count the deceased had started blackmailing the Applicant.

8. The trial is unlikely to conclude any time soon and is likely to take a considerably long time. The present Applicant does not have any criminal antecedents. The Applicant is entitled to be enlarged on Bail.

9. Mr. Joshi, learned Counsel appearing for the Applicant states that as several witnesses are residing in the same locality as that of the Applicant, therefore, the Applicant will reside outside District Kolhapur and that the Applicant will reside at 197/963, Near Balaji

Market, Sant Tukaram Nagar, Pimpri, Pune.

10. The Applicant does not appear to be a flight risk.
11. Accordingly, the Applicant can be enlarged on bail by imposing conditions. Hence, the following order:-

ORDER

- (a) The Applicant-Suraj Jotiram Aadsul be released on bail in connection with C.R. No. 679 of 2022 registered with the Karvir Police Station, District Kolhapur on his furnishing Personal (PR.) Bond of Rs.25,000/- with one or two sureties in the like amount.
- (b) The Applicant shall not enter the District Kolhapur after being released on bail except for reporting to the Investigating Officer, if called, and for attending the trial.
- (c) On being released on bail, the Applicant shall furnish his cell phone number and residential address

to the Investigating Officer while residing outside District Kolhapur and shall keep the same updated, in case there is any change.

- (d) The Applicant shall report to the Pimpri Police Station, Pimpri Chinchwad, District Pune once every week, on every Sunday between 11.00 a.m. and 1.00 p.m. till the conclusion of trial. The Police Inspector of Pimpri Police Station, Pimpri-Chinchwad, District Pune to communicate details thereof to the Investigating Officer.
- (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/her from disclosing the facts to Court or any Police Officer.
- (f) The Applicant shall not tamper with the evidence and shall not contact or influence the Complainant or any witnesses in any manner.
- (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 his passport, if any,
to the Investigating Officer.

12. The Application is disposed of.

[MADHAV J. JAMDAR, J.]