



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

CRIMINAL BAIL APPLICATION NO.1691 OF 2023

Varsha Suresh Kamane alias Mahek Arman Shaikh ...Applicant
Versus
The State of Maharashtra ...Respondent

Ms. Shubhangi Parulekar, for the Applicant.

Ms. Veera Shinde, APP, for the Respondent-State.

API C.C. Thorbole, Hadapsar Police Station, Pune City present.

CORAM : MADHAV J. JAMDAR, J.

DATED : 2nd JANUARY 2024

P.C. :

1. Heard Ms. Parulekar, learned Counsel appearing for the Applicant and Ms. Shinde, learned APP appearing for the Respondent-State.

2. The Applicant has filed the Criminal Bail Application for regular bail under Section 439 of the Code of Criminal Procedure, 1973. The relevant details are as under:-

1	C. R. No.	591 of 2022
2	Date of F.I.R.	25 th May 2022

3	Police Station	Hadapsar, Pune
4	Sections under which F.I.R. has been lodged	302, 143, 145, 147, 148 and 149 of IPC
5	Date of Incident	25 th May 2022
6	Date of Arrest	26 th May 2022
7	Date of filing of Chargesheet	Chargesheet filed.
8	Status of Trial	Not commenced.
9	Previous Criminal Antecedents	No.

3. As per the prosecution's case, the husband of the Applicant was suspecting that the Applicant was having relationship outside marriage with the deceased and therefore, husband of the Applicant has committed murder of the deceased. There are total four accused. The Accused No.2- Bhaiya alias Pradeep Ankush Chavan has been released on bail by Order dated 3rd February 2023 passed by a learned Single Judge in Criminal Bail Application No.3695 of 2023.

4. It is the contention of Ms. Shinde, learned APP appearing for the Respondent/State that it was the Applicant who had in fact called the deceased to the spot of the incident.

5. Learned Counsel appearing for the Applicant has pointed out the statement of witness-Angad Dattatray Shinde and submitted that

the Applicant was only present at the spot of the incident and has not participated in the actual assault on the deceased. It is submitted that in fact, the deceased was called by the Applicant to settle the dispute between the Applicant's husband and the deceased.

6. The Applicant was arrested on 26th May 2022. The Applicant is incarcerated for last about 18 months. One co-accused is already enlarged on bail by Order dated 3rd February 2023. The investigation is completed and chargesheet is filed. There are no criminal antecedents reported against the Applicant. The Applicant does not appear to be a flight risk and can be enlarged on bail by imposing conditions. Hence, the following order:-

ORDER

- (a) The Application is allowed.
- (b) The Applicant-Varsha Suresh Kamane alias Mahek Arman Shaikh be released on bail in connection with C.R. No.591 of 2022 registered with Hadapsar Police Station, Pune on her furnishing P. R. Bond of Rs.25,000/- with one or two sureties in the like amount.
- (c) On being released on bail, the Applicant shall furnish her contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(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/her from disclosing the facts to Court or any Police Officer. The Applicant shall not tamper with evidence.

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

[MADHAV J. JAMDAR, J.]