



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4070 OF 2023**

PRAVIN SADASHIV GHADAGE .. APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr.Rajiv Patil, Senior Advocate a/w Mr.Ojas Kocharekar i/b
Ms. Ashwini Jadhav and Mr.Ratan L. Adhe, for the applicant.
Mr. Swapnil V. Walve, APP for the State.
API- Mr.Sameer Chaskar, Khandeshwar police station
present.

CORAM : M. S. KARNIK, J.

DATE : APRIL 17, 2024

P.C. :

- 1.** Heard learned Senior Advocate for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under sections 302, 120B read with 34 of the Indian Penal Code, 1860 registered on 16/09/2022 vide C.R. No.243 of 2022 with Khandeshwar police station.
- 3.** There are in all 6 accused. The applicant is the accused no. 3. The date of the incident is 15/09/2022. The applicant was arrested on 18/09/2022.
- 4.** The informant is the father-in-law of the deceased. It

is alleged that on 15/09/2022 at about 10.10 p.m. when his daughter-in-law-'P' was on the way to home at New Panvel railway station, unknown persons assaulted 'P'. The injuries are on the neck of 'P' with sharp edged weapon. The assailants committed murder and ran away from the spot. The statement of the informant was recorded on 16/09/2022. The offence came to be registered under the aforesaid sections with Khandeshwar police station, Taluka Panvel District-Raigad.

5. The case of the prosecution is that the accused no.1 who is the husband of the deceased-'P' was in a relationship with the accused no. 2-'N'. Accused no.2-'N' was an employee of the applicant-accused no.3 who was running a coaching class. It is the allegation of the prosecution that the applicant-accused no.3 helped the accused no.2-'N' in executing the plan of committing murder of 'P'. Learned APP submitted that there is recovery of mobile phone from the applicant. The mobile phone that is recovered from the applicant belongs to the accused no.2-'N'. Learned APP submitted that the conversation in the mobile phone would indicate that it is the applicant who was in touch with the

contract killers. However, there is no dispute that mobile phone belongs to the accused no.2-'N'. The other material is in the form of CCTV footage of the railway station where the applicant is seen following the deceased person-'P'. It is not the case that the applicant is the assailant. It is the case of the prosecution that as co-accused 'N' was working with the applicant, the applicant helped her in her plan. The materials on record are mainly against other co-accused. The materials indicate that the co-accused 'N' was in contact with the co-accused who were the contract killers. The accusations against the applicant are mainly in the realm of suspicion. The applicant was arrested on 18/09/2022. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. In the facts and circumstances of the present case, I am inclined to enlarge the applicant on bail as the materials are mainly against the other co-accused. These are prima facie observations and the trial Court will obviously proceed with the trial uninfluenced by these observations. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Pravin Sadashiv Ghadge in connection with C.R. No.243 of 2022 registered with Khandeshwar police station shall be released on bail on his furnishing P.R. Bond of Rs.50,000/- with one or more local sureties in the like amount.
- (c) The applicant shall attend the investigating officer of Khandeshwar police station once in three months on every first Monday of the concerned month commencing from May 2024 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) The applicant shall not threaten or influence the witnesses.
- (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.)