

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1931 OF 2024

Mahesh Vasant Galande .. Applicant

Versus

The State of Maharashtra & Anr. .. Respondents

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Mr.Gaurav Kalekar with Mr.Aman A. Kothari for the Applicant.

Mr.S.V.Gavand, A.P.P. for the State/Respondent.

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CORAM: BHARATI DANGRE, J.
DATED : 18th OCTOBER, 2024

P.C:-

1. In the wake of the earlier order and since certain queries were raised as regards the sample for DNA being forwarded, the Investigating Officer, attached to Aundh Police Station, has affirmed an affidavit on 17/10/2024, where he has offered the requisite clarification. Paragraphs 13 and 14 of the said affidavit read as under :-

“13. I say that perusal of the documents annexed to the charge sheet and the said MLC register would show that the blood sample of the accused was taken on 31/08/2019 and same was properly sealed by the medical officer before handing over the same to the Police and even when the said sample was again handed over to medical officer, when the said sample was again handed over to medical officer, when the said sample was not accepted by the C.A., the said sample was in sealed condition and said sample was again handed over in same condition by the medical office to police for handing over the same to the C.A. and the only defect which can be

noticed was in respect of unsealing of identification form at first time. I therefore say that the blood sample of the accused which was collected, on 31/08/2019 was always in sealed condition till the same was handed over to the C.A. on 04/09/2019.

14. I say that with respect to collection of sample and handing over the same to the C.A. statement of two witnesses i.e. the carrier of sample have been recorded during the course of investigation and the statement of PC 2615 Kundlik Katare and statement of PC 2354 Santosh Padole (Page 93 and 94 of bail application) have been recorded.”

At this stage, I express satisfaction over the explanation offered.

2. The learned A.P.P. Mr.Gavand makes a categorical statement that five witnesses are examined in the trial against the Applicant and six more witnesses are to be examined, which include two carriers, one Investigating Officer as well as the Officer, who recorded the F.I.R. and two Medical Officers. According to Mr.Gavand, the examination of these witnesses shall be concluded on or before 15/12/2024. Thereafter, by recording the statement of the Applicant under Section 313 of Cr.P.C., this Court expect the learned Judge to conclude the trial, including the pronouncement of Judgment, on or before 31/01/2025.

3. With the aforesaid direction, the Application stands disposed off.

(BHARATI DANGRE, J.)