



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

938 BAIL APPLICATION NO. 589 OF 2025

Pravin @ Monya Raju Sonawane

VERSUS

The State Of Maharashtra

...

Mr. Harshal P. Randhir h/for Ms. Rani Agrawal, Advocate for Applicant

Mr. S. B. Narwade, APP for Respondent State

CORAM : SANJAY A. DESHMUKH, J.

DATE : 14th October, 2025

ORDER:

1. Heard.

2. This is an application, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "the BNSS"), for grant of regular bail in connection with Crime No. 63 of 2022, registered with Chalisgaon City Police Station, District Jalgaon, for the offences punishable under Sections 302, 323 and 504 of the Indian Penal Code, 1860.

3. The learned counsel for the applicant pointed out the report in which the informant averred that on 23.03.2022, at about 8.30 p.m., younger brother of the informant Satish and nephew Pravin went for attending nature's call at about 9.00 p.m. When they both came near the house, that time, the applicant started abusing them on account of earlier quarrel. When wife of Satish questioned him, the applicant under hit of anger, slapped her below the ear. That time, Satish questioned the applicant as to why he slapped his wife and then quarrel

took place between them. The informant, his wife and his son Arjun tried to convince the applicant. At that time, neighbourer Valmik Sonawane, Santosh Sonawane, Sanjay Sonawane, Nirmala, Sangita Sonawane tried to settle the quarrel. Meanwhile, the maternal aunt Kalpana Nimba Dalvi and Pankaj Nimba Dalvi came there but they did not try to settle the dispute. They were just watching the quarrel. Thereafter, the applicant took out a knife from his pocket and assaulted Satish on his stomach and also on the right side of chest for three times. Satish sustained serious injuries. He fell down. Then, the applicant ran away. Satish was taken to the Hospital. Doctor examined him and declared that he is no more.

4. The learned counsel for the applicant submits that the applicant has no criminal antecedents and he is falsely implicated in the crime. and he lastly prayed that the applicant be granted bail. It is also prayed that there is unreasonable delay in lodging the FIR. He has roots in the society and he will not flee away from the trial. Trial will take a long period. Considering all these reasons, it is lastly prayed to grant bail to the applicant.

5. The learned APP for the State and learned advocate for respondent No.2 strongly opposed the application and submitted that the applicant is booked for a serious crime. It is submitted that the earlier application of the applicant was rejected by the trial court on 13.03.2023 and thereafter this application is filed in this Court on 27.03.2025. This court, by order dated 18.09.2025, called for a report

from the trial court about the progress of the trial. This court received the report, in which the trial court has reported that on each and every date, the accused sought time to proceed with trial, through the prosecution was ready. It is submitted that if he is released on bail, he will pressurize the prosecution witnesses and tamper with the evidence. The possibility of commission of a similar nature of crime again by the applicant also cannot be ruled out, if he is released on bail. It is lastly prayed to reject the application.

6. Perused the charge-sheet, particularly statements of witnesses, postmortem report and the report called from the trial Court as to the progress in the trial. From the report of the trial court, it reveals that on each and every date, the accused sought time to proceed with the trial and the accused was not ready to proceed with the trial and prolonging the matter. He cannot claim right for speedy trial under the Article 21 of the Constitution of India.

7. In such circumstances, considering the fact that the bail application is not moved within reasonable time, when his application was rejected by the trial court in the year 2023 and the present application is in the year of 2025, certainly the applicant is not entitled for bail on merit on the ground of delay in filing the application and most important is that accused sought time to proceed with the trial.

8. Considering all these aspects, the applicant is certainly not entitled for grant of bail.

9. It is to be noted that this court, by order dated 18.09.2025, directed to call the report from the concerned trial court. Thereafter, the matter was adjourned on 25.09.2025. On 25.09.2025, when the report was received, the learned counsel for the applicant remained absent and the matter was again adjourned on 01.10.2025 and on that date also, time was sought on behalf of the applicant and the matter was fixed on 09.10.2025. On 08.10.2025, again time was sought and the matter is fixed today for hearing and passing the order.

10. This conduct on the part of the learned counsel for the applicant is not proper. Learned Advocate Shri Harshal Randhir holding for Advocate Ms. Agrawal was heard on behalf of the applicant on all the aspects of the matter. Still she avoided to argue the matter even though chances were given and V. C. facility is available.

11. Considering all these aspects, the application is rejected.

(SANJAY A. DESHMUKH, J.)

JPChavan