

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2229 OF 2025

IN

CRIMINAL APPEAL NO. 689 OF 2025

TALLE
SHUBHAM
ASHOKRAO

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Deepak Balaso Ithape And Anr ... Applicants

Versus

The State of Maharashtra & Anr. ... Respondents

Mr. Aditya S Raktade and Adv. Aarti Shah, for the Applicants.

Mr. A. A. Naik, APP for the Respondent-State.

Coram : M. S. Karnik &
Sharmila U. Deshmukh, JJ.

Date : September 30, 2025.

P. C. :

1. The Applicants are Original Accused. The Original Accused were convicted by the Judgment and order dated 27th March, 2025 in Sessions Case No. 205 of 2018 passed by the Additional Sessions Judge, Kolhapur for offences punishable under Section 143, 148, 149, 307, 323, 452 r/w 34 of the Indian Penal Code. The Applicants were sentenced to suffer imprisonment for life and also to pay fine of Rs. 5,000/- each.

2. It is submission of learned Counsel for the Applicant that the

present Applicants did not assault the victim. It is submitted that the Applicants had gone to victim's house along with co-accused. The Accused No. 1 is author of the injury and is alleged to have assaulted the victim in the night.

3. Our attention is invited to the order dated 28th April, 2025, passed by this Court in *Mayur Mahadev Sawant-Patil vs. The State of Maharashtra* in Interim Application No. 1621 of 2025 in respect of Accused No. 3-Mayur Mahadev Sawant-Patil. The Accused No. 3-Mayur has been enlarged on bail.

4. Mr. Naik, learned APP opposes the Application.

5. However, we find that the role of the present Applicant is similar to the role of the Accused No. 3-Mayur who has been enlarged on bail.

6. In this view of the matter, for the same reasons as in the order dated 28th April, 2025, the Application is allowed. The sentence of the Trial Court in Sessions Case No. 205 of 2018 is suspended and he is enlarged on bail, pending the hearing and final disposal of the aforesaid appeal, on the following terms and conditions:

::ORDER::

- a)** The Applicant be enlarged on bail on furnishing P R. Bond in the sum of Rs. 50,000/- with one or two solvent sureties in the like amount;

- b) The applicant shall report to the trial Court, on the first Saturday of every month, initially for a period of 12 months and thereafter, on the first Saturday of every alternate month, till his appeal is finally disposed of;
- c) The applicant shall keep the trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time;
- d) If there are two consecutive defaults in appearing before the trial Court, the learned Judge shall make a report to the High Court and the prosecution would be at liberty to file an application seeking cancellation of bail.

7. Interim Application is disposed of in the above terms.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik, J.]