

Harish

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

CRIMINAL BAIL APPLICATION NO. 3252 OF 2025

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Date:
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Sakshi Mahendra Shah

...Applicant

Versus

State Of Maharashtra

...Respondent

Mr. Ganesh Gupta for the applicant.

Dr. A. A. Takalkar, APP for the respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th OCTOBER, 2025

P.C.:

1. By this application, applicant is seeking regular bail in Crime No.173 of 2023 registered with Madha Police Station, District Solapur for the offences punishable under Sections 302, 307, 120-B, 323 and 504 read with Section 34 of the Indian Penal Code, 1860.

2. It is prosecution's case that the applicant had love affair with the co-accused Chaitanya Kamble and her father was opposing the said love affair. Hence, applicant conspired with the co-accused to kill her father. Accordingly, the father of the applicant was assaulted by the co-accused on 7th August, 2023.

Due to assault, the deceased was admitted in the hospital and he died on 8th January, 2025. Initially, the offence was registered under Section 307 of IPC and after the death of the deceased, the offence under Section 302 of the Indian Penal Code was added in this crime.

3. It is the contention of learned counsel for the applicant that the applicant is behind bar more than two years. There is no progress in the trial though charge is framed. The applicant is a lady. The co-accused against whom allegations are that they had assaulted the deceased, have been released on bail. The allegations against the applicant are of conspiracy. Hence, the applicant is entitled for bail on the principal of parity. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant is the daughter of deceased. She conspired with the co-accused as her father was opposing her love affair with the co-accused Chaitanya Kamble. Hence, she planned to murder his father with the help of co-accused. Accordingly, she take her father where the co-accused waiting and the co-accused assaulted the deceased. Due to assault, the deceased was admitted in the

hospital and due to serious injuries, he died. Learned APP further submits that the applicant was in constant touch with the co-accused. The CDR is produced on record in that regard. Learned APP further submits that charge and additional charge has been framed against the applicant. If the applicant released on bail, she may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused the FIR and documents produced on record.

6. The allegations against the applicant are that she had conspired with the co-accused to kill her father. The applicant is a lady and behind bar more than two years. At the time of incident, she was present when the co-accused assaulted to her father. Co-accused, who had participated in the assault to the deceased, has been released on bail. Considering this fact, the applicant is entitled for bail on the principle of parity. Further detention of applicant is not required and I pass following order:

ORDER

- (i) Application is allowed.

(ii) The applicant be enlarged on bail in Crime No.173 of 2023 registered with Madha Police Station, District Solapur on executing P. R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.

(iii) The applicant shall attend the Court dates regularly.

(iv) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

7. The application is allowed in the aforesaid terms and is accordingly disposed off.

8. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

9. All concerned to act on the authenticated copy of this order.

[SHIVKUMAR DIGE, J.]