

Harish

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

CRIMINAL BAIL APPLICATION NO. 5077 OF 2024

Deepak @ Sharad Balkrishna Ingale

...Petitioner

Versus

The State Of Maharashtra

...Respondent

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Mr. Ramnik P. Pawar, Mr. Amit Waykool, Mr. Parvez Nadaf, Mr. Dinesh S. Sonarlikar, Mr. Rahul Gupta for Applicant.

Mr. S. H. Yadav, APP for the State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 13th NOVEMBER, 2025.

P.C.

1. By this application, applicant is seeking regular bail in crime no. 443 of 2021 registered with Karad Taluka Police Station, Dist- Satara for the offences punishable under Sections 302, 341 read with 34 of Indian Penal Code, 1860 and under Sections 4, 25 of Arms Act, 1959.

2. It is prosecution's case that on 25 September, 2021, at around 10.00 p.m. when the first informant was traveling in vehicle with deceased and his friend, their vehicle was intercepted by the applicant and co-accused. Thereafter the applicant, co-accused and

two unknown persons pulled down the deceased from the said vehicle. The co-accused Sandip threw chilly powder in eyes of the deceased and the applicant brought sword like weapon from his vehicle and assaulted the deceased with it and the other co-accused assaulted him with wooden rod. Due to said assault, the deceased died while shifting to the hospital.

3. It is the contention of learned counsel for the applicant that the applicant is behind bar around 4 years. There is no progress in trial till 16th June, 2025 though charge is framed on 22nd August, 2022. Hence, requested to allow the application.

4. It is contention of learned APP that the said incident is witnessed by the eye witnesses. The applicant has assaulted the deceased with sharp weapon, due to said assault the deceased has died. There is direct evidence against the present applicant. The First Informant's evidence is recorded before the trial Court. There is progress in trial and requested to reject the application.

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

6. The incident is witnessed by the first informant in his presence, the deceased was murdered. In the FIR, it is mentioned that the applicant assaulted the deceased with sword like weapon. The

said weapon is recovered at the instance of the applicant. There is direct evidence against the applicant. There is progress in trial. Considering these facts, I am not inclined to allow the application and I pass following order.

O R D E R

Application is rejected.

(SHIVKUMAR DIGE, J.)