

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

BAIL APPLICATION NO. 1423 OF 2024

Uttam Vitthal Deshmukh	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Ashok Mundargi Senior Advocate a/w Raviraj Paramane and Mr. Deva Shinde, Advocate for the Applicant.

Mr. Mahesh Mule, Special P.P. a/w Ms. Nidhi Narwekar and Mr. Krishnaraj Khedekar. for the Respondent – State.

Mr. C. D. Mali, A.P.P. for the Respondent – State.

Mr. Bansode (ACP), AHTU Unit, Navi Mumbai, present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	28th APRIL, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.159 of 2022 registered at Nhava Sheva Police Station, District : Navi Mumbai, for the offences punishable under Sections 364(A), 386, 120(B), 323, 342, 506(2), 109 of the Indian penal code and Sections 3, 25 of the Arms Act and Sections 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organised Crime Act, 1999.

3. According to the prosecution, the present applicant is a member of organized crime syndicate formed by co-accused Vikrant @ Vicky Deshmukh. It is alleged that on 14.12.2021, the complainant who was running Stone Crushing Unit at Gavhan, Panvel, was abducted by co-accused Vikrant Deshmukh and demanded Rs.10 crores as ransom from the complainant. It is alleged that after negotiations the said amount was settled at Rs.2 crores. It is alleged that the complainant was released after his brother paid Rs.50 lacs, and as the assurance was given to pay remaining amount. It is alleged that out of extortion amount on 28.02.2022 the complainant paid Rs.30 lacs to the present applicant.

4. I have heard the learned Senior Counsel for the applicant and learned Special P.P. for the Respondent-State.

5. The learned Senior Counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that the applicant came to be implicated as he is the relative of the co-accused Vikrant Deshmukh. It is submitted that the statements of the complainant as regards alleged payment of extortion money are not consistent. It is

submitted that the applicant is in jail for two and half years and the trial is still at the stage of framing of charge. It is further submitted that there are no other criminal antecedents against the present applicant. The learned Senior Counsel for the applicant on instructions submits that the applicant is willing to stay out of Raigad District.

6. On the other hand, the learned Special P.P. for the Respondent-State submits that there is enough incriminating material to connect the applicant with the alleged crime. It is submitted that the involvement of the applicant is apparent from the confessional statement of the co-accused. The learned Special P.P. submits that the applicant if released, may tamper with the prosecution evidence. It is submitted that considering the nature of crime the applicant may not be released on bail.

7. I have perused the statements of the complainant. The statements of the complainant in relation to alleged payment of extortion money of Rs.30 lacs to the applicant are not consistent. The applicant is in jail for two and half years and the trial is still at the stage of framing of charge. There are

no other criminal antecedents against the applicant. Considering overall facts and circumstances, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No.159 of 2022 registered at Nhava Sheva Police Station, District : Navi Mumbai, for the offences punishable under Sections 364(A), 386, 120(B), 323, 342, 506(2), 109 of the Indian penal code and Sections 3, 25 of the Arms Act and Sections 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organised Crime Act, 1999 on executing PR. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall stay at Mulshi, Dist. Pune and shall attend the Police Station Mulshi, once in a month i.e. on first Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;
- (iv) The applicant shall not enter into the limits of Raigad District and the Navi Mumbai Police Commissionerate, except to attend the dates before the Trial Court;
- (v) The applicant shall submit his residential address and contact number if any to the Nhava Sheva Police Station;

- (vi) The applicant shall not commit any other crime;
- (vii) It would be open to the State to file the application for cancellation of bail if the applicant commits breach of any of the conditions;
- (viii) Application stands disposed of accordingly.

(N. R. BORKAR, J.)