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

CRIMINAL BAIL APPLICATION NO. 1840 OF 2024

Priyanka Aakash Survade

.. Applicant

Versus

The State of Maharashtra

.. Respondent

-
- Mr. Visshaal Khetre, Advocate for Applicant.
 - Mr. Hitendra J. Dedhia, APP for Respondent – State.
-

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 07, 2025.

P.C.:

- 1.** Heard Mr. Khetre, learned Advocate for Applicant and Mr. Dedhia, learned APP for Respondent – State.
- 2.** This is an Application under Section 439 of the Code of Criminal Procedure, 1973 seeking Regular Bail in connection with C.R.No.497 of 2022 registered with Kalwa Police Station for the offence punishable under Section 302 of the Indian Penal Code, 1860.
- 3.** In the present crime, Applicant is a woman. This Application is listed for the first time today despite it having been filed on 24.04.2024.
- 4.** Learned Advocate for Applicant would draw my attention to the fact that the incident which occurred leading to the Applicant inflicting a singular knife blow on the victim was on account of the

repeated verbal altercation (घरामध्ये भांडण) which took place in the house of the Applicant on two consecutive nights beginning from 02.10.2022. Applicant in the present case in a fit rage on the spur of moment took the kitchen knife (भाजी कापण्याचा चाकु) and inflicted a knife blow in rage on the victim who was the husband of the younger sister.

5. *Prima facie* record shows that the quarrel was on going between the family of the Applicant and family of the deceased victim. That apart, medical report and the witness statement *prima facie* shows that the victim was in inebriated and intoxicated mind and when he picked the quarrel late in the night, assault on him took place at about 03:00 a.m. in the morning during the time of quarrel. Having perused the entire record of the case, learned Advocate for Applicant would persuade the Court to release the Applicant on bail on the ground of long incarceration pending trial.

6. Considering the fact that incident occurred due to said altercation and on the spur of moment without pre-meditation or planning by the Applicant. He would also persuade the Court to consider the fact that Applicant herself has two minor children aged 4 years and 6 years out of whom the younger child is staying with the Applicant inside the jail whereas the elder one who is 6 years old is placed in the hostel.

7. Ms. Dedhia, learned APP appearing for the prosecution shall ascertain the veracity of the submissions made on behalf of the Applicant from the record of the case and accordingly apprise the role of Applicant in the crime to the Court on the next adjourned date. Considering his incarceration in prison, prosecution shall also ascertain the status of the trial and inform the same to the Court for consideration.

8. In view of the long incarceration of the Application, present Application shall be heard and decided by the Court on the next adjourned date which shall be noted by the prosecution.

9. List the Bail Application on Board on **15th April 2025**. To be placed under the caption '**First on Board**'.

[MILIND N. JADHAV, J.]

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