

Nikita

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

BAIL APPLICATION NO.2950 OF 2024

Dipak Dinkar Chokhande ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Devendra Shukla, for the Applicant.

Mr. T. G. Khan, APP for the State.

Mr. P. G. Ghagare, API, Khandeshwar Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATED : 18th JUNE, 2025

P.C.:

1. Heard Mr. Devendra Shukla, learned Advocate for the Applicant and Mr. T. G. Khan, learned APP for the State.
2. By the present application under Section 439 of the Code of Criminal Procedure, 1973, Applicant is seeking bail in connection with C. R. No.243 of 2022 registered with Khandeshwar Police Station, for the offences punishable under Sections 302, 120(B) read with 34 of the IPC.
3. Bail Application No.68 of 2023 filed by the Applicant was rejected by the Additional Sessions Judge Panvel Raigad, by order dated 20.03.2023.
4. Case of the prosecution is that on 15.09.2022, when the daughter-in-law of the informant was on the way to home at New

Panvel Railway Station, she was assaulted. Injuries were caused to her on the neck with a sharp edge weapon. Assailants committed murder and fled from the spot.

5. Mr. Devendra Shukla learned Advocate for the Applicant submits that Mr. Pravin Sadashiv Ghadage (Accused No.3) is similarly placed and the role assigned to Accused No.3 and the Applicant (Accused No.6) are similar and identical. He submits that Criminal Bail Application No.4070 of 2023 filed by the Accused No.3 was granted by this Court by its order dated 17.04.2024. He tenders a copy of the order dated 17.04.2024, which is taken on record and marked as “X” for identification. Mr. Devendra Shukla, learned Advocate for the Applicant by placing reliance on the order dated 17.04.2024 submits that the allegations contained in the FIR and as referred to by this Court in the said order with reference to the Accused No.3 are similar to the allegations made against the Applicant. He submits that the Accused No.3 being granted bail, the Applicant would be entitled to bail on the ground of parity.

6. Mr. Tanveer Khan, learned APP for the State, submits that charges in the offence are serious. He however fairly states that the role assigned to the Applicant herein and to the Accused No.3, who has been enlarged on bail, by this Court is similar. He therefore, submits that the case of the Applicant be considered on parity in view of the order dated 17.04.2024 passed in Bail Application No.4070 of 2023

7. I have perused the record placed before me with the able

assistance of the learned Advocates for the parties.

8. Perusal of the FIR reveals that the role assigned to the Applicant and the role that is assigned to Accused No.3 in Crime No.243 of 2022, are similar. This Court after considering the allegations made against the Accused No.3, who was placed in similar situation like that of the Applicant, has released Accused No.3 on bail. The said situation is not disputed by the learned APP. In view of the above, principle of parity in bail would be applicable to the case of the Applicant.

9. Applicant is therefore, entitled to grant of bail on the following condition:

(a) Applicant is directed to be released on bail in connection with C.R. No.243 of 2022 registered with Khandeshwar police station shall be released on bail on his furnishing P.R. Bond of Rs.50,000/- with one or more local sureties in the like amount, to the satisfaction of Additional Sessions Judge, Panvel, Raigad.

(b) Applicant shall attend before the Investigating Officer of Khandeshwar police station once in three months on every first Monday of the concerned month, commencing from July, 2025 between 11.00 a.m. and 1.00 p.m.

(c) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The Applicant shall not tamper with evidence.

(d) Within three days of being released on bail, the Applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(e) Applicant shall attend the trial regularly. The Applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

10. The Bail Application No.2950 of 2024 is disposed off.

(ASHWIN D. BHOBE. J.)