

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

CRIMINAL BAIL APPLICATION NO. 3770 OF 2024

Mangesh Baburao Savkar ... Applicant
Vs.
The State of Maharashtra & Anr. ... Respondents

Mr. S. T. Pandey a/w Ms. Kajal Upadhyay, Mr. Deepak Jaiswal
Mr. Deepak Singh and Mr. Nagesh Ahvad Mr. Asif Husain i/b S. T.
Pandey, Advocate for the Applicant.
Ms. Anamika Malhotra, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 29th JULY, 2025.

P.C. :

1. Heard Mr. S. T. Pandey, learned Advocate for the Applicant and Ms. Anamika Malhotra, learned APP for the Respondent-State.
2. By the present Application, Applicant is seeking bail in connection with Crime No. I-198 of 2021 registered with Mumbai Naka Police Station, Nashik, for the offences punishable under Sections 302, 120B, 279, 337, 338, 304-A, 420, 419 read with 34 of the Indian Penal Code (for short "IPC") and under Sections 184, 134/187 of the MV Act. Said crime is registered as Sessions Case No.202 of 2023.
3. There are 7 Accused in the present crime. Applicant is Accused No. 1.
4. FIR was registered at the instance of Informant Pravin Suresh Bhalerao ("Pravin") brother of Ashok Suresh Bhalerao ("Ashok"). Case

of the prosecution is that Ashok was knocked down by a motor vehicle, resulting in death of Ashok. Initially, crime was registered under offences punishable under Sections 279, 304-A of the IPC and Sections 134 and 177 of the MV Act. Post-mortem Report mentioned the cause of death as “due to head injury with hemorrhagic shock due to blunt trauma to abdomen”.

5. An amount of Rs. 16,32,000/- was deposited in the bank account of Deepak. Pursuant to the said deposit Rajani Krushnadatt Ukey (accused No.2) representing herself as an Advocate, approached Deepak and inquired as to whether he had received the amount in respect of insurance policy obtained by Ashok. This circumstance alarmed Charushila Ashok Bhalerao (widow of Ashok), as well as Pravin. They immediately lodged a complaint dated 08th December, 2022 to that effect.

6. Police commenced investigation on the complaint dated 8th December, 2022. Investigation related to the account of Charushila in IDFC First Bank revealed that an amount of Rs. 4,07,00,926/- was credited in the said account towards the life insurance of Ashok from different policies. Accused No.2 impersonated as Charushila and received the said amount Rs. 4,07,00,926/-. Said amount was thereafter distributed in the proportion amongst the other accused persons, as indicated by the Respondent in the affidavit-in-reply filed :-

Sr. No.	Accused Name	Amount Received
1	Mangesh Baburao Savkar	3,28,92,526/-
2	Rajani Krushnadatt Ukey @ Charushila Krushnadatt Ukey @ Charushila Ashok Bhalerao	36,14,500/-
3	Deepak Ashok Bharudkar	6,15,000/-

4	Kiran Devidas Shirsath	5,80,000/-
5	Hemant Shivaji Wagh	5,05,400/-
6	Pranava Rajendra Salve	1,68,500/-
7	Victim Brother – Deepak Suresh Bhalerao	16,32,000/-
	Total	4,00,07,926/-

7. Investigation revealed that Accused persons conspired to commit murder of Ashok and to embezzle the amount of insurance. Various documents were fabricated and the amount/s withdrawn. In view of the said material, provisions of Sections 302 and 120-B of the IPC were added to the crime.

8. Applicant was arrested on 22nd June, 2023, since then he is in jail. First bail application filed by the Applicant was rejected by the Additional Sessions Judge, Nashik, by order dated 28th April, 2023. Second Bail Application at Exhibit- 15 filed by the Applicant in Sessions Case No. 202 of 2023 was rejected on 21st August, 2024.

9. Respondent has filed Affidavit-in-reply dated 25th April, 2025, opposing the bail. Respondent other amongst the facts pertaining to the present crime, have made reference to the Accused persons being involved in similar Crime bearing No. 233 of 2022 registered at Mhasrul Police Station for the offences punishable under Section 302, 364, 120(b) and 34 of IPC.

10. Mr. S. T. Pandey, learned Advocate for the Applicant, submits though an amount of Rs. 3,28,92,526/- from the insurance amount of Rs. 4,00,07,926/- is transferred to the Bank Account of the Applicant, there is no material on record to indicate the complicity of the Applicant in committing the murder of Ashok. He submits that the death of Ashok

was caused in a motor vehicle accident, which fact is supported by the statements of the witnesses and the CCTV footage of the incident. He submits that there is no material to implicate Applicant in the present crime.

11. Ms. Anamika Malhotra, learned APP for the State, submits that murder of Ashok is a pre-planned act by the accused persons. She submits that Accused persons conspired to eliminate, with the sole motive of claiming the Insurance amount, that would be payable in the event of Ashok's death. She submits that the Applicant is the mastermind in the present crime, which fact is evident from an amount of Rs.3,28,92,526/- payable to the family members of Ashok was transferred in the bank account of the Applicant. She submits that the *modus operandi* of the accused persons is to obtain policies in the name of persons, thereafter commit murder of such persons and show such death as an accidental death. She submits that the accused persons have fabricated documents and impersonated as the widow of Ashok. She submits that the Applicant, after having received the amount of Rs.3,28,92,526/-, in is account has been enjoying the same, which is evident from the fact that a substantial amount is spent by the Applicant.

12. I have perused the record with the able assistance of the learned Advocate for the parties.

13. Records indicate that initially, the death of Mr. Ashok Suresh Bhalerao was shown as a death caused by motor vehicle accident. It was on account of the suspicion and the alarm raised by Charushila and Pravin, that the conspiracy hatched by the accused persons for claiming

Insurance amount payable in the event of death of Ashok, that the offence came to light.

14. Investigation records indicate that the Applicant had accompanied Ashok for obtaining the Insurance Policy and Applicant had an access to the e-mail as well as the mobile phone of Ashok. Insurance agent Jalindar Dattatreya Panhale in his statement has made reference to the Applicant having accompanied Ashok at the time of obtaining the Insurance Policy. Paragraph No. 4 of the Affidavit-in-reply filed by the Respondent reads as follows:-

“Email ID of the deceased as ashokbhalerao93@gmail.com was found in the mobile of accused No.1 and it was found that the mobile of the applicant-accused has mobile bearing No. 9370697773, the applicant-accused was logging into the IDFC First Bank account of the deceased Ashok Bhalerao and was taking information about the insurance money and making transactions on it.

15. Applicant is alleged to be in the car which is involved in the accident. Material on record, read with the fact that the Applicant has received an amount of Rs.3,28,92,526/-, from the Insurance amount payable on the death of Ashok, prima facie establishes the complicity of the Applicant in the present crime. Death of Ashok, has benefited the Applicant and the other co-accused assisting the Applicant in the said crime, which is evident from the amounts transferred to the Accused persons as more particularly referred to in paragraph No.11 of the affidavit-in-reply filed by the Respondent. Present crime appears to be is a well-planned and well executed plot by the Applicant. Considering the gravity of the allegations and the material indicating Applicant's role in the crime, Applicant is not entitled to bail.

16. Criminal Bail Application No. 3770 of 2024 is dismissed.

(ASHWIN D. BHOBE, J.)

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signed by
GAYATRI
RAJENDRA
SHIMPI
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