

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

CRIMINAL BAIL APPLICATION NO. 4345 OF 2024

Hajimalang @ Haji @ Petrol Mohammad
Ajij Mohammad Ali Mujawar ...Applicant
Versus
The State of Maharashtra ...Respondent

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Mr. Manas N. Gawankar, Advocate for the Applicant.

Ms. Geeta P. Mulekar, A.P.P. for the Respondent – State.

Mr. Mahesh Jadhav, (API) Crime Branch, Navi Mumbai, present.

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CORAM : N. R. BORKAR, J.

DATE : 7th MAY, 2025

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 394 of 2016 registered at Panvel City Police Station, District : Navi Mumbai for the offences punishable under Sections 302 and 201 of the Indian Penal Code and Sections 4 & 27 of the Arms Act.
3. The deceased was divorcee. The applicant wanted to marry her. It is alleged that as the deceased refused to marry the applicant, he got annoyed and committed her murder.

4. On 04.02.2025, this Court had passed the following order:

- “1. This is an application for regular bail.
2. The learned counsel for the applicant submits that applicant is in jail for eight years and thus applicant needs to be released on the ground of long incarceration as undertrial prisoner.
3. On the other hand, the learned APP submits that the trial has commenced. It is submitted that the deceased was brutally murdered and the dead body was cut into pieces.
4. The learned APP submits that the prosecution would endeavour to examine all the remaining witnesses within a period of three months. Learned APP, on instructions, submits that prosecution would not oppose the prayer of bail, after three months.
5. In view of the above statement, list the application on 02.05.2025.(H.O.B).”

5. The learned counsel for the applicant submits that though the statement was made that the prosecution would endeavour to examine remaining witnesses within a period of three months, however, not a single witness is examined. It is submitted that in view of the statement of the learned A.P.P recorded in the above order, the applicant be released on bail.

6. Considering the facts and circumstances, I have no option except to release the applicant on bail. In the result, following order passed.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 394 of 2016 registered at Panvel City Police Station, District : Navi Mumbai for the offences punishable under Sections 302 and 201 of the Indian Penal Code and Sections 4 & 27 of the Arms Act, on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall attend the concerned Police Station 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 co-operate in expeditious disposal of the trial.
- (v) Application is disposed of in the aforesaid terms.

(N. R. BORKAR, J.)