

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

BAIL APPLICATION NO. 4540 OF 2024

Supriya Rahul Gadekar	...Applicant
Versus	
The State of Maharashtra	...Respondent

....

Mr. Satyavrat Joshi, Advocate for the Applicant.

Mrs. P. S. Rane, A.P.P. for the Respondent – State.

Mr. Timir S. Pawar (PSI), Alandi Police Station, Pune, present.

....

CORAM : N. R. BORKAR, J.

DATE : 25th FEBRUARY, 2025.

P.C.:

1. This is an application for regular bail.

2. The applicant came to be arrested in Crime No.46 of 2024 registered at Alandi Police Station, Dist.-Pune, for the offences punishable under Sections 302, 201, 392, 120(b) read with Section 34 of the Indian Penal Code, 1860.

3. The applicant is the Accused No.1 in the aforesaid crime. The deceased was the husband of the present applicant. According to the prosecution, the applicant was having extramarital relation with the Accused No.2 and the deceased

was an hindrance in their relationship. It is alleged that they thus hatched a conspiracy to commit the murder of the deceased. It is alleged that pursuant to the said conspiracy, on the date of incident which took place on 23-02-2024, the Accused No.2 committed the murder of the deceased.

4. I have heard the learned counsel for the applicant and learned A.P.P for the Respondent-State.

5. The learned counsel for the applicant submits that the case is based on circumstantial evidence. It is submitted that the applicant has five years old child and there is nobody to look after him. It is further submitted that the applicant is in jail for one year and the trial is not likely to be concluded in the near future.

6. On the other hand, the learned A.P.P for the Respondent-State submits that the applicant is involved in serious crime of murder. It is submitted that there is a strong circumstantial evidence against the applicant. It is submitted that considering the nature of the crime, the applicant may not be released on bail.

7. I have perused the statement of witnesses. It appears from the statement of Hrushikesh Sanjay Shelke that the present applicant had asked him to take two sim-cards in his name and he was asked to send one sim-card to the Accused No.2. His statement further shows that in December-2023 the present applicant had handed over one mobile phone to him and he was asked to destroy the said mobile phone. The supplementary statement of witness Sachin Sudam Gadekar shows that in his presence CDR between the applicant and the Accused No.2 were shown to her by the officials of the crime branch, and in his presence the present applicant had confessed her involvement in the crime. The learned counsel for the applicant submits that the said confession is not admissible. However, considering the overall facts and circumstances of the case, I am not inclined to release the applicant on bail. The application is rejected.

(N. R. BORKAR, J.)