

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

CRIMINAL BAIL APPLICATION NO. 4816 OF 2024

Sukhjinder Somraj Singh @ Sandhu ...Applicant

Versus

The State of Maharashtra ...Respondent

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Adv. Silvin Kale, Advocate for the Applicant.

Mr. Vinod Chate, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 5th FEBRUARY, 2025

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 112 of 2023 registered at Kalamboli Police Station, District : Navi Mumbai for the offences punishable under Sections 302, 120(B) r/w Section 34 of the Indian Penal Code (for short “IPC”).
3. The present applicant is accused No.2 in the above crime. The deceased was the husband of the accused No.1. According to the prosecution there was some property dispute between the accused No.1 and the deceased. It is alleged that

accused No.1 thus entered into conspiracy with the present applicant and the accused No.3 to kill the deceased. It is alleged that pursuant to the said conspiracy, on the date of incident which took place on 08.05.2023, the present applicant and the accused No.3 assaulted the deceased by sharp weapon and committed his murder.

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 there is no material to show that the present applicant was in contact with the accused No.1 or that the applicant has received any amount from the accused No.1. It is submitted that the case is based on circumstantial evidence and the applicant is in jail for more than one year.

6. On the other hand, the learned A.P.P for the Respondent-State submits that there are strong incriminating circumstances against the present applicant. It is submitted that the witness Sarswati in whose house the present applicant and the accused No.3 stayed prior to the alleged incident has identified them in the test identification parade. It is

submitted that there is a statement of the shop owner from where the knife was purchased by the present applicant and the accused No.3. It is submitted that, considering the nature of offence, the applicant may not be released on bail.

7. Admittedly, the case is based on circumstantial evidence. There are no other criminal antecedents against the applicant. It appears that before conducting the test identification parade, the photographs of the present applicant were shown to the witness Sarswati. Considering the over all facts and circumstances, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 112 of 2023 registered at Kalamboli Police Station, District: Navi Mumbai for offences punishable under Sections 302, 120(B) r/w Section 34 of the Indian Penal Code (for short "IPC") on executing PR. 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 twice in a month on first and third Saturday of

the month between 11:00 a.m. to 1:00 p.m. till conclusion of trial;

(iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)