

Ravi R. Sing ...Applicant
V/s.
The State of Maharashtra ...Respondent.

Mr. Satyavrat Joshi (through VC) i/b Ms Reena Prajapati for the Applicant.
Mrs. Gauri S. Rao, APP for the Respondent/State.
API V.K. Babar, Kondwa Police Station present.

CORAM : N.R. BORKAR, J.
DATE : 05.05.2025.

P.C. i

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 750 of 2018 registered at Kondhawa Police Station, Pune city for the offences punishable under Sections 302, 307 and 120-B read with 34 of the Indian Penal Code, Section 3 read with 25 of the Arms Act and Section 37(1) read with 135 of the Mumbai Police Act.
3. The deceased was working in jewellers shop. The deceased was the relative of applicant and other co-accused. There was a dispute between them. According to the prosecution, due to said previous dispute on the date of incident which took place on 21.11.2018, the present applicant and other co-accused entered the shop where the deceased was working and shot him dead.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent – State.

5. Learned counsel for the applicant has drawn my attention to the order passed by this Court dated 10.03.2023 in Criminal Bail Application No. 3764 of 2021. By the said order, this Court directed the trial Court to conclude the trial as early as possible. Learned counsel for the applicant submits that the applicant is in jail for 4 years and 11 months and the trial is till at the stage of framing of charge. It is submitted that the trial is thus not likely to be concluded in the near future. It is thus submitted that the applicant may be released on bail.

6. On the other hand, learned APP for the respondent/State submits that the present applicant is the main assailant, who fired the gun shots at the deceased and there is a CCTV footage to that effect. It is submitted that the trial could not proceed as some of the co-accused are absconding. It is further submitted that the applicant is resident of State of Bihar. It is submitted that the applicant was absconding after the incident and if released on bail, he may abscond again. It is submitted that considering the nature of crime, the applicant may not be released on bail.

7. The fact that the applicant is in jail for 4 years and 11 months is not disputed. In spite of the order of this Court dated 10.3.2023 in Criminal bail Application No. 3764 of 2021 to conclude the trial as early as possible, the trial is still at the stage

of framing of charge. If the other co-accused are absconding, then the trial should have been separated. Considering overall facts and circumstances of the case, I am inclined to the release the applicant on bail on certain conditions. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No. 750 of 2018 registered at Kondhawa Police Station, Pune city for the offences punishable under Sections 302, 307 and 120-B read with 34 of the Indian Penal Code, Section 3 read with 25 of the Arms Act and Section 37(1) read with 135 of the Mumbai Police Act on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station twice in a month ,i.e., on 1st and 3rd Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

D] The applicant shall not leave the corporation limits of Pune city except with the prior permission of the trial Court.

E] Liberty is granted to the prosecution to file an application for cancellation of bail , if the applicant commits breach of any of the aforesaid conditions.

[N.R.BORKAR, J.]