

Shabnoor

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

BAIL APPLICATION NO.5096 OF 2024

Ranjitkumar Mohan Singh

... Applicant

V/s.

The State of Maharashtra

... Respondent

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Mr. Shriganesh Salba Sawalkar a/w Vishruti Tari with
Shraddha Sagvekar, for the applicant.

Mrs. Megha S. Bajoria, APP for the State – respondent.

Mr. Sumedh Pandurang Medhe, Wada Police Station.

CORAM : AMIT BORKAR, J.

DATED : JUNE 27, 2025

P.C.:

1. This is a bail application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973. The applicant is seeking regular bail in connection with Crime Register No. 0093 of 2021 registered with Wada Police Station, District Thane, for offences punishable under Sections 302 and 201 read with Section 34 of the Indian Penal Code, 1860.

2. The prosecution case, in brief, is that Accused No.1 allegedly had an illicit relationship with the wife of the deceased, and with the help of other accused persons including the present applicant, committed the murder of the deceased. It is further alleged that on the date of the incident, the present applicant along with two other

accused was seen carrying the dead body of the deceased. The prosecution also states that bloodstained clothes of the deceased were recovered at the instance of the present applicant during investigation. The applicant came to be arrested on 29th March 2021 and is in judicial custody since then. It is informed that co-accused Kalyanidevi Divesh Sharma has already been released on bail by this Court by order dated 11th November 2024.

3. It is not in dispute that charges have not yet been framed in the present case. The prosecution has cited a list of 33 witnesses. From the record, it is clear that the trial has not yet commenced and there is no indication of the trial concluding in the near future. The applicant has already undergone custody of more than 3 years and 2 months.

4. On careful consideration of the material on record, it appears that the main allegation of motive and direct involvement is against Accused No.1. The role of the present applicant appears to be limited to the alleged act of assisting in the disposal of the body. There is no material to show that the applicant was involved in the actual commission of murder. The recovery of bloodstained clothes at the instance of the applicant is a circumstance which may be tested during trial, but by itself may not be sufficient to deny bail when the trial is yet to commence.

5. It is well settled that prolonged pre-trial detention infringes the right to life and personal liberty guaranteed under Article 21 of the Constitution of India. In the facts of the present case, where trial is not likely to commence soon, and the applicant has already

spent considerable time in custody, continued incarceration would not serve any further purpose.

6. Moreover, this Court has already granted bail to similarly placed co-accused Kalyanidevi Divesh Sharma. On the ground of parity also, the applicant deserves to be enlarged on bail.

7. There is nothing on record to suggest that the applicant is likely to abscond or tamper with the prosecution evidence or influence the witnesses, if released on bail. Appropriate conditions can be imposed to secure the presence of the applicant during the trial.

8. Considering the above aspects, this Court is of the opinion that the applicant has made out a case for grant of bail.

9. Hence, the following order :

(a) The Bail Application is allowed.

(b) The applicant, shall be released on bail in connection with Crime Register No. 0093 of 2021 registered with Wada Police Station, District Thane, for offences under Sections 302 and 201 read with 34 of IPC, upon furnishing a Personal Bond of ₹25,000/- (Rupees Twenty-Five Thousand only) along with one or more solvent sureties in the like amount, to the satisfaction of the learned Trial Court, subject to the following conditions:

(c) The applicant shall not tamper with evidence, or directly or indirectly contact, influence, threaten, or intimidate any witness, particularly family members of the

deceased.

(d) The applicant shall attend all proceedings before the Trial Court regularly, unless exempted by the Court on valid grounds supported by sufficient cause.

(d) The applicant shall report to the Wada Police Station, on the first Monday of every month between 10.00 a.m. and 12.00 noon, until further orders.

(e) The applicant shall not leave the territorial jurisdiction of the Trial Court without its prior written permission.

(f) The applicant shall not commit any offence or engage in any criminal activity during the pendency of the trial.

(g) The applicant shall, at the time of furnishing surety, provide his current residential address and mobile number to the Investigating Officer as well as the Trial Court, and shall inform the Court in writing of any change in residence or contact details during the pendency of the case.

10. The Bail Application stands disposed of in above terms.

(AMIT BORKAR, J.)