

Nikita

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

BAIL APPLICATION NO.5135 OF 2024

Neelam Mahadev Pawar (Alias Sakshi
Samod Shedghe) ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Piyush Toshnival i/b Mr. Ashish Pawar for the
Applicant.

Ms. Anamika Malhotra, APP for the State.

Mr. J. P. Gaikwad, I. O. Mahad MIDC, Police Station,
Raigad.

CORAM : ASHWIN D. BHOBE, J.

DATED : 14th JULY, 2025

P.C.:

1. Heard Mr. Piyush Toshnival, learned Advocate for the Applicant and Ms. Anamika Malhotra, learned APP for the State.

2. By the present application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, Applicant is seeking bail in connection with C. R. No.62 of 2016 registered with Mahad MIDC Police Station, Raigad for the offences punishable under Sections 304-A, 279, 337, of the Indian Penal Code, 1860 and Sections 184 and 189 of the Motor Vehicles Act, 1988, subsequently altered to Section 302, 201, 203, and 506, 114 read with Section 34 of the Indian Penal Code, 1860. Said crime is now

registered as Sessions Case No.85 of 2023.

3. Case of the prosecution is that on 08.08.2016, the above said crime was registered under Section 304-A, 209 and 337 of IPC read with Section 184 and 189 of the Motor Vehicles Act, 1988, against unknown persons. After a lapse of six years, Section 302, 201, 203, 506 and 114 read with 34 of IPC came to be added. Mr. Sandeep Namdev Kalambe (Accused No.1) and the Applicant (Accused No.2) were shown as Accused in the said crime.

4. Applicant was arrested on 19.04.2024. Bail Application filed by the Applicant at Exhibit-15 in Sessions Case No.085 of 2023 was dismissed on 08.07.2024, by the Additional Sessions Judge Mangaon Raigad.

5. Mr. Piyush Toshnival, learned Advocate for the Applicant submits that the Applicant is seeking bail on the ground of parity. He submits that the involvement of the Applicant in the said crime is similar and identical to the involvement of Sandeep Namdeo Kalambe (Accused No.1). He clarifies that the involvement of the Applicant is lesser than the involvement of Sandeep Namdeo Kalambe (Accused No.1). He submits that by the order dated 18.09.2024 in Bail Application No.2847 of 2024, Accused No.1 has been released on bail.

6. Ms. Anamika Malhotra, learned APP for the State, submits that the bail of the Applicant can be considered on the ground of parity as Sandeep Namdeo Kalambe (Accused No.1) is identically placed in the said crime.

7. I have perused the record with the able assistance of learned

Advocates for the parties.

8. Perusal of the charge-sheet reveals that the involvement of the Applicant and Sandeep Namdeo Kalambe (Accused No.1) in the said crime is similar. Accused No.1 has been released on bail. Applicant being similarly placed is entitled to bail on the principle of parity.

9. Mr. Piyush Toshnival, learned Advocate for the Applicant states that he has instructions from the Applicant to state that in the event, indulgence is shown to the Applicant, then Applicant shall not enter the territorial jurisdiction of Mahad MIDC Police Station, Raigad, till the conclusion of the trial. Statement is accepted.

10. In view of the above, the present Bail Application is allowed, on the following conditions:

a) Applicant is directed to be released on bail in connection with C. R. No.62 of 2016 registered with Mahad MIDC Police Station, Raigad on her furnishing PR bond in the sum of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of Additional Sessions Judge Mangaon, Raigad.

b) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him from disclosing the facts to the Court or any police officer and shall not tamper with evidence.

- c) Applicant upon her release, within 3 days shall furnish to the Investigation Officer, Mahad MIDC Police Station, Raigad her residential address with proof and the contact number and to keep the Investigation Officer intimated about the change in the same from time to time.
 - d) Applicant shall attend the Mahad MIDC Police Station, Raigad, on 1st and 16th day of every month between 12.00 noon to 2.00 pm till the conclusion of the trial in Sessions Case No.85 of 2023.
 - e) Applicant shall not enter into territorial jurisdiction of Mahad MIDC Police Station, Raigad till the conclusion of the trial in Sessions Case No.85 of 2023.
 - f) Liberty is granted to the State for cancellation of bail in case Applicant breaches any of the conditions and/or if the Applicant commits similar offence.
11. The Bail Application No.5135 of 2024 is disposed off.

(ASHWIN D. BHOBE. J.)