

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

CRIMINAL BAIL APPLICATION NO. 5180 OF 2024

Sachin Raju Shinde

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Chaitanya Mulawkar a/w Mr. Nilesh Waghmode i/b Mr. Amit Icham,
learned Advocate for the Applicant.

Ms. Veera Shinde, learned A.P.P. for the State/Respondent.

PSI Mr. Ravi Jadhav attached to Bharati Vidyapeeth Police Station, Pune
City is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 11th JULY 2025.

P.C. :

1. Heard Mr. Chaitanya Mulawkar, learned Advocate for the Applicant and Ms. Veera Shinde, learned A.P.P. for the State/Respondent.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 ("**BNSS**" for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 455 of 2022 registered with Bharati Vidyapeeth Police Station, Pune City for the offence punishable under Section 302 of the Indian Penal Code, 1860 ("**IPC**" for short).

3. Mr. Chaitanya Mulawkar, learned Advocate for the Applicant submits that the abovesaid crime is now registered as Sessions Case

No. 110 of 2023 and is pending on the file of learned Additional Sessions Judge, Pune.

4. Applicant is the sole accused in the present crime. Allegations against the Applicant is of committing murder of Mrs. Karuna Radhakisan Kathmore, the wife of informant.

5. Applicant was arrested on 11th July 2022 and since then he is in jail. Criminal Bail Application No. 387 of 2023 filed by the Applicant was rejected on 19th June 2023 by the learned Additional Sessions Judge, Pune.

6. Mr. Chaitanya Mulawkar, learned Advocate submits that the present Bail Application is pressed on the sole ground of Applicant's long incarceration. He submits that since the year 2022, the trial in Sessions Case No. 110 of 2023 has not commenced. He submits that the charge is not framed till date. He relies on the orders of this Court in the cases of *Vikas Chandrakant Patil v/s. The State of Maharashtra*¹ and *Niklesh Prakash Patil v/s. The State of Maharashtra*² in support of his contention for grant of bail on the grounds of long incarceration and denial of Applicant's right to speedy trial.

7. Ms. Veera Shinde, learned A.P.P. for the State/Respondent submits that the offences charged against the Applicant are grave and serious in nature. She submits that there is sufficient material on record to implicate the Applicant in the present crime. On instructions from the Investigating Officer, she submits that the

1 Bail Application No. 1963 of 2025 decided on 9th May 2025.

2 Bail Application No. 1208 of 2025 decided on 8th May 2025.

charge is not framed in Sessions Case No. 110 of 2023.

8. I have perused the records with the assistance of learned Advocates of the parties.

9. Considering the fact that the Applicant is in jail since the year 2022 and incarcerated for almost a period of 3 years and charge in Sessions Case No. 110 of 2023 not being framed till date, Mr. Chaitanya Mulawkar, learned Advocate would be justified in pressing into service the Applicant's right to be enlarged on bail on the ground of long incarceration, as the Applicant cannot continue to be incarcerated as an under-trial prisoner, indefinitely. This Court is therefore constrained to enlarge the Applicant on bail on the grounds of long incarceration and delay in trial.

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 Crime No. 455 of 2022 registered with Bharati Vidyapeeth Police Station, Pune City for the offence punishable under Section 302 of the IPC on executing P.R. Bond in the sum of Rs. 25,000/- (Rupees Twenty-five Thousand Only) with one or two sureties in the like amount to the satisfaction of the Additional Sessions Judge, Pune.
- b. Applicant shall regularly appear before the Additional Sessions Judge, Pune as and when the date in Sessions Case No. 110 of 2023 is fixed, unless exempted by the

learned Trial Court.

- c. Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- d. Applicant shall not tamper with the prosecution evidence.
- e. Applicant upon his release, within a period of three days from his release, shall furnish his cell phone number and residential address with proof to the Investigating Officer, Bharati Vidyapeeth Police Station, Pune City and shall keep the same updated, in case of any change thereto.
- f. Applicant shall report to the Investigating Officer, Bharati Vidyapeeth Police Station, Pune City on 1st Saturday of every month from 10.00 a.m. to 12.00 noon till framing of the charge.

11. Criminal Bail Application No. 5180 of 2024 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

GITALAXMI
KRISHNA
KOTAWADEKAR