

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

BAIL APPLICATION NO. 5205 OF 2024

Juned Abdulhamid Sawar	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Satyavrat Joshi, Advocate for the Applicant.

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

Mr. Sanjay N. Aswale (PSI), Vishrambaug Police Station, Sangli, present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	17th MARCH, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.326 of 2021 registered at Vishrambag Police Station, District : Sangli, for the offences punishable under Sections 302 and 506(2) of the Indian Penal Code, 1860.
3. The deceased and the present applicant were in relationship. It is alleged that on the date of incident which took place on 12.10.2021, dispute arose between them on account of some financial issues and during the said dispute, the present applicant is alleged to have strangled her and thereby committed her 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 has drawn my attention to the order passed by this Court dated 9th November 2023 in Criminal Bail Application No.2885 of 2022. By the said order, the applicant was permitted to withdraw his application for bail with liberty to file fresh application after six months, if there is no substantial progress in the trial. The trial court was directed to conclude the trial expeditiously within a period of six months. The learned counsel for the applicant submits that till date the trial Court has recorded the evidence of three witnesses and the evidence of last third witness was recorded on 18.03.2024. It is submitted that thereafter since last one year there is no progress in the trial. It is submitted that the applicant is in jail for three and half years and the trial is not likely to be concluded in the near future.

6. On the other hand, the learned A.P.P for the Respondent-State submits that the applicant is involved in serious offence of murder. It is submitted that the case is based on direct evidence. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. In spite of order of this Court to conclude the trial expeditiously, it appears that there is no progress in the trial after 18.03.2024 i.e. for one year. Considering the overall 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.326 of 2021 registered at Vishrambag Police Station, District : Sangli, for the offences punishable under Sections 302 and 506(2) of the Indian Penal Code, 1860 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 once in a month i.e., on first Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;
- (iv) The applicant shall not tamper with the prosecution evidence;
- (v) Application stands disposed of accordingly.

(N. R. BORKAR, J.)