

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

CRIMINAL APPLICATION NO. 235 OF 2025

Pankaj Sanjay Waje and Anr.

...Applicants

Versus

The State of Maharashtra

...Respondent

Mr. Vivekanand Vinod Krishnan, learned Advocate for the Applicants.
Dr. Ashwini A. Takalkar, learned A.P.P. for the State/Respondent.
API Mr. Gaykar attached to Malegaon Police Station, Nashik Rural is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 17th JUNE 2025.

P.C. :

1. Heard Mr. Vivekanand Krishnan, learned Advocate for the Applicants and Dr. Ashwini Takalkar, learned A.P.P. for the State/Respondent.
2. Mr. Vivekanand Krishnan, learned Advocate for the Applicants craves leave to amend the Application and add prayer clause by adding a prayer for interim/ad-interim relief.
3. Dr. Ashwini Takalkar, learned A.P.P. for the State/Respondent has not opposed the said request of Mr. Vivekanand Krishnan, learned Advocate. Hence, leave granted to learned Advocate for the Applicants to amend the prayer clause by adding the prayer for ad-interim relief and to add averments in the Application.

4. Amendment to be carried out forthwith.
5. By the present Application, the Applicants have sought for the following reliefs :-

“bb. That the Applicant No. 2 be released on interim bail pending this Application.

c. That the order dated 23rd May 2025 passed by the Additional Sessions Court, Malegaon in Miscellaneous Criminal Application No. 32 of 2025 be quashed and set aside.

d. That the portion of the order dated 21st April 2025 passed by the Additional CJM, Malegaon which deemed as a precondition that “if the applicant accused persons each deposit 50% of the amount in the Court, which they received in their own account as mentioned above” be deleted or relaxed or modified to the satisfaction of the Hon’ble Court as per law.”

6. Mr. Vivekanand Krishnan, learned Advocate for the Applicants submits that the Applicants alongwith other co-accused have been released on bail in Crime No. 46 of 2025, registered by Malegaon Police Station, Nashik Rural. He submits that the bail order records the Applicants to deposit 50% of the amount involved in the said crime before the learned Trial Court. He submits that the Applicants are aggrieved by the said condition, i.e., the condition directing to deposit the amount, as such the present Application.

7. Mr. Vivekanand Krishnan, learned Advocate submits that the urgency in the matter arises in respect of the case of Applicant No.

2. He points out to Paragraph 3(m) of the Application, wherein Applicant No. 2 has made reference to the death of his father and Applicant No. 2 being required to complete the formalities/rituals. He therefore submits that pending disposal of the Application, ad-interim relief in terms of prayer clause (bb) be considered.

8. Dr. Ashwini Takalkar, learned A.P.P. for the State/Respondent submits that the Investigating Officer has confirmed the death of father of Applicant No. 2. She therefore has no objection for release of Applicant No. 2 on interim bail, pending disposal of the present Application.

9. Applicants are released on bail in Crime No. 46 of 2025 by order dated 21st April 2025, passed by the learned Additional CJM, Malegaon on the conditions mentioned therein.

10. Mr. Vivekanand Krishnan, learned Advocate on instruction from Applicant No. 2 submits that he shall abide by all the conditions, as imposed in the said order dated 21st April 2025. The said statement is accepted as a statement to the Court.

11. Mr. Vivekanand Krishnan, learned Advocate submits that Applicant No. 2 shall abide by the final order that may be passed in the present Application.

12. In view of the above and considering Applicant No. 2 being granted bail by the learned Additional CJM, Malegaon, he is hereby directed to be released on interim bail on the conditions mentioned in the Criminal Bail Application in Crime No. 46 of 2025.

13. Parties to act on a digitally signed copy of this order.
14. It is clarified that this order is restricted to the request of Applicant No. 2. Direction to deposit as referred to in Paragraph 2 of the order dated 21st April 2025, passed in Criminal Bail Application in C.R. No. 46 of 2024 is stayed till the next date herein.
15. List the matter on **23rd June 2025**.

[ASHWIN D. BHOBE, J.]

GITALAXMI
KRISHNA
KOTAWADEKAR

Digitally signed by
GITALAXMI KRISHNA
KOTAWADEKAR
Date: 2025.06.19
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