

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.791 OF 2025

Ramesh Murlidhar Gaichor

... Appellant

V/s.

National Investigation Agency & Anr

... Respondents

Mr. Mihir Desai, Senior Advocate a/w Ms.Sanskriti Yagnik i/b Ms.Deepa Punjani, for Appellant.

Mr. Sandesh Patil a/w Mr.Chintan Shah, Mr. Sagar Bhandare, for Respondent No.1-NIA.

Mr. Ajay S. Patil, A.P.P for Respondent No.2-State.

Mr. Vishal Gaikwad, Dy.SP, NIA, Mumbai.

Mr. Subhash Ingole, Officer, NIA, Mumbai.

Mr. Akhilesh Singh, Officer, NIA, Mumbai.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 26th August, 2025.

P.C. :

1) By this Appeal under Section 21(4) of the National Investigation Agency Act, 2008 ('NIA Act'), the Appellant has impugned Order dated 1st July, 2025, passed below Exhibit No.1215, in Special Case No.414 of 2020, pending on the file of learned Special Judge (under NIA), Sessions Court, Greater Bombay, rejecting his Application for temporary bail.

The said Application below Exhibit No.1215 was filed by the Appellant (Original Accused No.14) for temporary bail for a period of two weeks, to meet his father who is an aged person and is undergoing medical

treatment. As noted earlier, the learned Judge of the trial Court has rejected the said Application by its Order dated 1st July, 2025.

2) Mr.Desai, learned senior counsel appearing for the Appellant submitted that, the father of the Appellant is more than 75 years of age as of today and is suffering from age related elements. He was admitted in Global Hospital, at Yerwada, Pune on 24th June, 2025 and was discharged on 27th June, 2025. The photocopies of the Discharge Summary Card are annexed at page Nos. 71 and 72 of the Appeal. He submitted that, Appellant is in pre-trial incarceration for more than four years and did not see or meet his father during the said period. That, as the father of the Appellant is suffering from age related elements, the Appellant is desirous to see and meet him. He submitted that, the trial Court did not take into consideration the said aspects and have rejected the Application by observing that, the Appellant's Bail Application on merits is pending before this Court; the statements made by the Appellant in his Application before the trial Court and across the bar were contradictory and therefore was pleased to reject the said Application. He submitted that, if the Appellant is released on temporary Bail for limited period even in police escort, the Appellant will adhere to all the terms and conditions imposed upon him. He lastly prayed that, the request of the Appellant be considered sympathetically.

3) Mr. Patil, learned Special Public Prosecutor appearing for Respondent No.1-NIA opposed the Appeal. He submitted that, the

substantive Appeal seeking enlargement of Appellant on bail is pending for consideration before this Court. Mr.Patil, on instructions fairly conceded to the fact that, the photocopies of the discharge summary card annexed at page Nos.71 and 72 are genuine documents. Mr.Patil, however submitted that, necessary Orders in the interest of justice be passed.

4) Perusal of the record indicates that, father of Appellant is aged about 75 years and is suffering from age related elements. He was admitted in Golbal Hospital at Yerwada, Pune on 24th June, 2025 and was discharged on 27th June, 2025. It is a fact on record that, the Appellant is in jail since the date of his arrest and was not able to meet his father in last more than four years.

5) In view thereof and without considering the merits involved in the Appeal at this stage, only on humanitarian ground, we are permitting the Appellant to be released on temporary bail for a period of three days to enable him to meet his father who is residing at the address mentioned in the cause title of the Appeal.

6) At this stage Mr. Desai, submitted that, the Appellant and his father is from very humble financial strata of the society and therefore may not be in a position to pay regular escort charges, if this Court releases him on temporary bail with escort and the said escort charges may be waived.

7) As noted earlier, the appellant is desirous of and intends to meet his ailing father, we are inclined to accept the request of the Appellant.

8) Hence, the following Order :-

i) Appellant is granted temporary bail from 9.00 a.m. of 9th September, 2025 till 6.00 p.m. of 11th September, 2025 (both days inclusive).

ii) Before his release on temporary bail during the aforementioned days, the Appellant shall execute PR bond in the sum of Rs.25,000/- along with a cash security of Rs.25,000/-,

The said cash security be deposited with the Superintendent of Taloja, Central Prison.

iii) After complying with the afore-stated conditions the Appellant be released from Jail on or before 9.00 a.m. of 9th September, 2025.

iv) The Appellant shall report back to Jail Authority on or before 6.00 p.m. of 11th September, 2025.

v) The Commissioner of Police Navi Mumbai, shall provide necessary escort to the Appellant. As the Appellant is visiting his residence to see his ailing father, we direct that, the escort party shall be in civil dress.

vi) The Appellant shall be given waiver of escort charges by the State.

vii) Appellant shall not misuse the permission granted by this Order, i.e. shall not indulge into tampering with evidence of

prosecution and/or pressurise prosecution witnesses, while on temporary bail.

viii) If the Appellant reports back to the Jail Authorities within stipulated period as noted above, the Superintendent Taloja Central Prison, is directed to refund the said cash security to him or to the person who deposits the said amount within a period of three working days therefrom without any demur.

9) In view of the above, Order dated 1st July, 2025, passed below Exhibit 1215 in Special Case No.414 of 2020 is set aside.

9.1) Appeal is allowed in the aforesaid terms.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)