

Prasad Rajput

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 19 OF 2025

Sheetal Vasanta Shegaonkar	.. Applicant
Versus	
The State Of Maharashtra	.. Respondent

CRIMINAL BAIL APPLICATION NO. 5434 OF 2024

Manisha Gulab Pokharkar	.. Applicant
Versus	
The State Of Maharashtra	.. Respondent

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- Mr. Rajendra Rathod a/w Mr. Umar Dalvi and Mr. Sohail Ahmed, Advocates for Applicant in BA No. 19 of 2025.
 - Mr. Sudeep Pasbola a/w Ms. Mrunal Bhide and Mr. Ramprasad Dewre, Advocates for Applicant in BA No.5434 of 2024.
 - Ms. Rajeshree Newton h/f Mr. Dinesh J. Haldankar, APP for State.

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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 21, 2025

P. C.:

- 1.** Heard.
- 2.** Present Bail Applications are of Applicants who are in judicial custody pending trial from 1st July, 2017 till today. There are total 6 accused involved in the present crime. Applicants are arrayed as Accused Nos. 1 and 4.
- 3.** It is seen that by order dated 10th December, 2024 (*Coram: Manish Pitale, J.*) in Bail Application No.4904 of 2024,

Accused No.5 has been released on bail on the ground of long incarceration and there being no possibility of the trial being completed within a reasonable period of time.

4. According to prosecution, on 6th February, 2025 when the present Application was listed before the Court (*Coram: Manish Pitale, J.*), it has been noted that prosecution has already examined 32 witnesses in the trial and only a few more witnesses were proposed to be examined by the prosecution. In view of this Court directed prosecution to file an appropriate Affidavit of a responsible Officer on behalf of the State and furnish the details with respect to the number of witnesses which the prosecution would intend to examine and whether the trial can be completed in the extended period of time i.e. by November, 2025. In compliance of the same Affidavit is filed. I have perused the Affidavit. It is at Page No.582 of the Application No.19 of 2025. In compliance of the above order Paragraph No.4 of the Affidavit states that prosecution desires to examine the complainant, the Post Mortem Doctor, eye witness (number not specified), Jail Authorities (number not specified), other witnesses including CA Report (number not specified), Investigating Officers of Nagpada Police Station (number not specified) and the Investigating Officer of DCB, CID Unit III. It is stated in the Affidavit that trial would however be completed by November, 2025.

5. *Prima facie*, paragraph No.4 of the Affidavit is not in compliance of the order dated 6th February, 2025 and not at all satisfactory. It is filed in the most casual manner. I am not at all satisfied with what is stated in paragraph No.4 of the Affidavit since if the said paragraph is to be considered *prima facie*, then it is not known as to whether how many further witnesses the prosecution desires to examine in terms of number. In that view of the matter, I am inclined to hear the present Bail Applications on their merits and on all other grounds available to the Applicants on the next adjourned date. This is so because today learned APP Mr. Haldankar appearing on behalf of the State is indisposed and I am informed that he has undergone some surgery and he is on leave until today.

6. Hence, Stand over to **26th February, 2025 (F.O.B)**. To be listed on the Supplementary Board.