

HARSHADA H. SAWANT  
(P.A.)

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

**BAIL APPLICATION NO.34 OF 2025**

Shailesh Vasant Tandel .. Applicant

**Versus**

The State of Maharashtra .. Respondent

.....

- Ms. Mitali Varma, Advocate i/by Falcon Legal for Applicant.
- Mr. Hitendra J. Dedhia, APP for Respondent – the State of Maharashtra.

.....

**CORAM : MILIND N. JADHAV, J.**

**DATE : FEBRUARY 13, 2025**

**P.C.:**

- 1.** Mentioned out of turn at the time of rising of the Court.
- 2.** Heard Ms. Varma, learned Advocate for Applicant and Mr. Dedhia, learned APP for Respondent – the State of Maharashtra.
- 3.** Ms. Varma would persuade the Court to consider the long incarceration of Applicant of 7 years pending trial. She would fairly inform the Court that trial has commenced and 7 witnesses have already been examined out of 34 witnesses which the prosecution desires to examine.
- 4.** On the issue of merits for seeking bail Ms. Varma would submit that incident occurred on a public road outside a shop where Applicant alongwith the three other co-accused accosted First Informant and the deceased victim who were all of the same age due

to previous enmity between them and committed the offence.

**5.** She would inform the Court that weapon used in the offence is a tile and therefore would persuade the Court to consider that the incident was not premeditated on the part of Applicant or other accused to commit the murder of the deceased victim. She would submit that the incident in question was preceded by a heated verbal altercation between Applicant and victim which led to a scuffle and in moment of rage, Applicant picked up a tile lying nearby and inflicted one blow with the tile on the head of the deceased victim.

**6.** She would persuade the Court to consider the age of Applicant at the time of incident which was 22 years and the long incarceration suffered by him for 7 years when today he is 29 years old and consider the Application.

**7.** Learned APP appearing in the matter shall take appropriate instructions on the aforementioned and apprise the Court on the next adjourned date when this Court is inclined to hear the Application considering the long incarceration of the present Applicant and no probability of the trial being completed in the near foreseeable future.

**8.** Stand over to **10<sup>th</sup> March, 2025 at 02:30 p.m.**