

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 337 OF 2025

Chandan Ramkrushna Sonawane. ...Applicant.
Versus
State of Maharashtra. ...Respondent.

Mr. Aniket U. Nikam, Advocate for the Applicant.

Mr. P.H. Gaikwad, APP for the Respondent-State.

CORAM: ASHWIN D. BHOBE, J

DATED: 20th AUGUST, 2025

PC:-

1. Heard Mr. Aniket Nikam, learned Advocate for the Applicant and Mr. Gaikwad, learned APP for State.

2. By the present Application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS"), the Applicant is seeking regular bail in Crime No. 202 of 2024 registered with Malegaon Camp Police Station, Dist. Nashik for the offences punishable under Section 109, 352, 351(2)(3) of Bharatiya Nyay Sanhita, 2023 (for short "BNS"). Said Crime is registered as Sessions Case No. 4 of 2025 and is pending before the Court of Additional Sessions Judge, Malegaon. Applicant is sole accused in the present crime.

3. Case of the prosecution is that the Applicant and Devendra

Shewale (Informant) were in the partnership business in the name and style “Kapaleshwar and Company” carrying on the business of purchase and sale of potato bags. Dispute arose between the Applicant and Informant in respect of sale of potato bags which resulted into an altercation. Said altercation turned into a fight in which the Applicant assaulted the Informant on his neck by means of a cutter. Informant suffered injuries from the said assault.

4. Applicant was arrested on 6th September, 2024. Bail Application No. 960 of 2024 and Bail Application No. 105 of 2025 were rejected by the learned Additional Sessions Judge, Malegaon on 17th October, 2024 and 2nd December, 2024, respectively. Third Bail Application No. 1147 of 2024 filed by the Applicant was rejected on 3rd January 2025 by the Additional Sessions Judge, Malegaon.

5. Mr. Aniket Nikam, learned Advocate for the Applicant submits that the Applicant and the Informant were in a partnership business. A dispute pertaining to business resulted in a fight and subsequent assault on the Informant. He submits that there was neither any intent to kill the Informant nor did the Applicant have any intention of causing harm to the Informant. He submits that assault was a result from a fit of rage. He submits that the Applicant is in jail for almost 10 months. He submits that the investigation is completed, recovery of the cutter has been made at the instance of the Applicant and therefore, no purpose would be served in detention of the Applicant.

6. Mr. Gaikwad, learned APP for the State submits that the Applicant using the cutter to assault the Informant is sufficient indication of the

Applicant having intention to kill the Informant. He submits that the incident was witnessed by eye witnesses. Medical certificate of the Informant is placed on record.

7. Perused the records with the assistance of the learned Advocates.

8. Charge-sheet reveals that the Applicant and the Informant were partners in a firm by the name “Kapaleshwar and Company”. From the material on record the fight and the assault happened during a fit of anger in the heat of a passionate verbal quarrel. There is no material placed on record to indicate the Applicant having any intention to kill the Informant. Considering the nature of allegations, material on record and the injuries sustained by the Informant, further continuation of the Applicant in jail pending trial is not warranted.

9. In view of the above, Bail Application is allowed on the following conditions :

(a) Applicant be released on bail in Crime No. 202 of 2024 registered with Malegaon Camp Police Station, Dist. Nashik upon furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount to the satisfaction of the learned Additional Sessions Judge, Malegaon.

(b) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing the facts to Court or any Police Officer. The Applicant shall not tamper with evidence.

(c) Applicant upon release within 3 days shall furnish his residential addresses with proof and contact details to the Investigating Officer, Malegaon Camp Police Station.

(d) Applicant shall not enter the business premises i.e. the premises of the partnership in the name and style “Kapaleshwar and Company” situated in the campus of Krushi Utpanna Bazar Sameeti Market Yard, till the conclusion of the trial of Sessions Case No. 4 of 2025.

(e) Applicant shall attend each and every date of hearing in Sessions Case No. 4 of 2025 before the learned Additional Sessions Judge, Malegaon, unless exempted.

(f) Applicant shall attend and report to the Investigating Officer, Malegaon Camp Police Station, Dist. Nashik on every first Saturday of every month from 10 a.m. to 12 p.m. till framing of charge in Sessions Case No. 4 of 2025.

10. Bail Application No. 337 of 2025 is allowed and disposed of on the above terms.

(ASHWIN D. BHOBE,J.)