IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 402 OF 2025

Sachin @ Pangya Dharma Landge ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Bhushan Raut a/w Mr. Rohan Athwale, learned Advocate for the Applicant.
Mr. Pandurang H. Gaikwad, learned A.P.P. for the State/Respondent.
PSI Mr. Sandip Kailas Borkar attached to Chakan Police Station, Pimpri-Chinchwad is present in the Court.

CORAM : ASHWIN D. BHOBE, J.
DATE : 3rd JULY 2025.

P.C. :

1. Heard Mr. Bhushan Raut, learned Advocate for the Applicant and Mr. Pandurang Gaikwad, learned A.P.P. for the State/Respondent.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 ("**BNSS**" for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 291 of 2019 registered with Chakan Police Station, Pune for the offences punishable under Sections 302, 307, 341, 120(B), 143, 147, 148, 149, 504 and 506 of the Indian Penal Code Act, 1860 ("IPC" for short), Sections 4(25) of the Indian Arms Act, 1959, Section 7 of the Criminal Law Amendment Act, 1932 and Section 135 of the Maharashtra Police Act, 1951.

3. Mr. Bhushan Raut, learned Advocate for the Applicant

submits that the abovesaid crime is registered as Sessions Case No. 84 of 2019 and is pending on the file of Additional Sessions Judge, Khed-Rajgurunagar, District-Pune.

4. Criminal Bail Application filed by the Applicant in Sessions Case No. 84 of 2019 was rejected by the Court of Additional Sessions Judge, Khed-Rajgurunagar, District-Pune vide order dated 13th January 2025.

5. There are 6 accused in the present crime. Applicant is Accused No. 4.

6. Mr. Bhushan Raut, learned Advocate submits that the Applicant is seeking bail on the ground of parity. He submits that Accused No. 1 is released on bail by the Hon'ble Supreme Court, Accused Nos. 2 and 3 are released on bail by this Court and Accused Nos. 5 and 6 are released on bail by the learned Sessions Court in the present crime. He submits that the involvement and the allegations levelled against the Applicant are similar and identical to the allegations as made against Accused No. 1 in the said crime. He submits that the Applicant is in jail for a period of 6 years and 6 months. He submits that charge in Sessions Case No. 84 of 2019 is framed on 21st June 2025. He submits that there is no likelihood of conclusion of the trial in the near future.

7. Mr. Pandurang Gaikwad, learned A.P.P. for the State/Respondent submits that the involvement of Applicant and Accused No. 1 in the crime is identical. He does not dispute that the Applicant is in jail for the period of more than 6 years from his arrest. He submits that the case of Applicant can be considered on

the ground of parity.

8. I have perused the records with the assistance of learned Advocates of the parties.

9. Perusal of the charge-sheet reveals that the involvement and the role assigned to the Applicant are similar and identical to the role as assigned to Accused No. 1 in the crime. The Hon'ble Supreme Court has granted bail to Accused No. 1 by its order dated 5th November 2024 (Page Nos. 269 to 271 of the paper-book). Applicant being similarly placed like Accused No. 1, the Applicant would be entitled for bail on the ground of parity. In addition to the ground of parity, the Applicant would also be entitled to indulgence on the ground of his long incarceration, i.e., for a period of 6 years and 6 months from the date of his arrest. Applicant cannot continue to be incarcerated as an under-trial prisoner indefinitely. Applicant is therefore entitled for bail on the grounds of his long incarceration and parity.

10. In view of the above, the present Bail Application is allowed on the following conditions :-

a. Applicant is directed to be released on bail in connection with Crime No. 291 of 2019 registered with Chakan Police Station, Pune for the offences punishable under Sections 302, 307, 341, 120(B), 143, 147, 148, 149, 504 and 506 of the IPC, Sections 4(25) of the Indian Arms Act, 1959, Section 7 of the Criminal Law Amendment Act, 1932 and Section 135 of the Maharashtra Police Act, 1951 on executing P.R. Bond in

the sum of Rs. 25,000/- (Rupees Twenty-five Thousand Only) with one or two sureties in the like amount to the satisfaction of the Additional Sessions Judge, Khed-Rajgurunagar, District-Pune.

b. Applicant shall regularly appear before the Additional Sessions Judge, Khed-Rajgurunagar, District-Pune as and when the date in Sessions Case No. 84 of 2019 is fixed, unless exempted by the learned Trial Court.

c. 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 a person from disclosing the facts to the Court or to any Police personnel.

d. Applicant shall not tamper with the prosecution evidence.

e. Applicant upon release, within a period of 3 days from his release, shall furnish his residential address with proof and contact details to the Investigating Officer, Chakan Police Station, Pune.

11. Criminal Bail Application No. 402 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

Gitalaxmi GITALAXMI KRISHNA KOTAWADEKAR Digitally signed by GITALAXMI KRISHNA KOTAWADEKAR Date: 2025.07.03 20:40:41 +0530