

Arjun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.442 OF 2025**

Durgesh @ Durvesh Pappu Santosh Jadhav

...Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

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Mr. Amit Icham, for the Applicant.

Mr. B. B. Kulkarni, APP, for the Respondent-State.

Ms. Rekha Musale, appointed for Respondent No.2.

P.S.I. Basvaraj Mali, Dattawadi Police Station, Pune City, present.

**CORAM: MADHAV J. JAMDAR, J.
DATED: 28 JULY 2025**

P.C.:

1. Heard Mr. Amit Icham, learned Counsel for the Applicant, Mr. Kulkarni, learned APP for the Respondent-State and Ms. Rekha Musale, learned Counsel appointed to represent the interest of the Respondent No.2.
2. This is a case where the victim has been subjected to gang rape and at the relevant time the victim was in depressed condition.
3. Mr. Amit Icham, learned Counsel appearing for the Applicant, after arguing the Bail Application for some time, as this Court is not inclined to grant bail, seeks withdrawal of the Bail Application. However, he states that the Applicant has been arrested on 28th August 2021 and therefore submits that after a reasonable period the Applicant be granted leave to file a fresh Bail Application.

4. Mr. Kulkarni, learned APP for the Respondent-State of Maharashtra, states that trial has already started and the evidence of PW-1 is being recorded.
5. Accordingly, the Bail Application is allowed to be withdrawn and dismissed as such. However, the Applicant is granted leave to file a fresh Bail Application after a period of 7 months.
6. The Respondent-State of Maharashtra is directed to take effective steps to conclude the trial expeditiously. The Respondent-State of Maharashtra shall ensure that the Applicant and other co-Accused are either produced before the learned Trial Court physically or through Video Conferencing so that the trial is not further delayed.
7. This Court places on record its appreciation for the assistance rendered by Ms. Rekha Musale, learned Counsel appointed to represent the interest of the Respondent No.2.

[MADHAV J. JAMDAR, J.]