

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 596 OF 2025

Swapnil Chidanand Kamble ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Satyavrat Joshi a/w Mr. Yash Ganesh Fadtare and Ms. Shivani
Kondekar, learned Advocates for the Applicant.

Mr. Amit A. Palkar, learned A.P.P. for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.

DATE : 22nd JULY 2025.

P.C. :

1. Heard Mr. Satyavrat Joshi, learned Advocate for the Applicant and Mr. Amit Palkar, 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. 34 of 2020 registered with Talegaon MIDC Police Station, Pimpri-Chinchwad for the offences punishable under Sections 307, 504 and 506 of the Indian Penal Code, 1860 (“**IPC**” for short).

3. Mr. Satyavrat Joshi, learned Advocate for the Applicant submits that the abovesaid crime is registered as Sessions Case No.

14 of 2024 and is pending on the file of learned Additional Sessions Judge, Vadgaon Maval, Pune.

4. Case of the prosecution is that the Applicant was married with Archana Kamble (deceased). On 24th February 2020, the Applicant under the influence of liquor, started a quarrel with Archana Kamble, which resulted in abuse and fight between them. Applicant thereafter poured kerosene on Archana Kamble and set her on fire by igniting a match-stick. Applicant thereafter poured water on Archana Kamble and rushed her to the hospital. Archana Kamble succumbed to the injuries.

5. Applicant was arrested on 7th March 2020, since then he is in jail. Criminal Bail Application at Exhibit-2 filed by the Applicant in Sessions Case No. 14 of 2024 was rejected by the learned Additional Sessions Judge, Vadgaon Maval, Pune by order dated 21st September 2024.

6. Mr. Satyavrat Joshi, learned Advocate for the Applicant submits that the marriage of Applicant with Archana Kamble, was a love marriage. He submits that on account of matrimonial discord, at the spur of moment, the incident as alleged, occurred. He submits that the Applicant had no intention to cause harm to Archana Kamble, much less to kill her. He submits that the conduct of Applicant of pouring water on Archana Kamble and thereafter rushing her to the hospital, is a circumstance which would indicate that the Applicant had no intention to commit murder of Archana Kamble. He submits that the Applicant is in jail for almost 5 years and 4 months. Prosecution has examined only 5 witnesses out of

17 witnesses, listed in the list of witnesses. He submits that the trial is progressing at a very slow pace and therefore, there is no possibility of trial being concluded in the near future. He submits that the Applicant does not have any criminal antecedents.

7. Mr. Amit Palkar, learned A.P.P. for the State/Respondent submits that offences charged against the Applicant are grave and serious in nature. He submits that the act of Applicant of pouring kerosene and setting Archana Kamble on fire, is sufficient to indicate that the Applicant having intention to kill Archana Kamble.

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

9. Records reveal that marriage between the Applicant and the deceased Archana Kamble, was a love marriage. Though the Applicant is alleged to have set Archana Kamble on fire after pouring kerosene on her, however he having subsequently taken Archana Kamble to the hospital, *prima facie* does not support the prosecution case of the Applicant having intention to commit murder of Archana Kamble. Applicant is in jail for almost 5 years and 4 months. Records placed before me, more particular at page no. 94 of the paper-book, indicate that the case was committed to the learned Sessions Court on 16th January 2024. Prosecution has examined 5 witnesses out of 17 listed witnesses. Mr. Satyavrat Joshi, learned Advocate would be right in his submission that the conclusion of the trial is bound to be delayed. Applicant does not have any criminal antecedents.

10. Considering the peculiar facts and circumstances of the

present case, continuation of Applicant in jail pending the trial is not warranted. Hence, the Applicant is entitled for bail.

11. Mr. Satyavrat Joshi, learned Advocate submits that in the event of indulgence being shown to the Applicant in the present Application, then the Applicant will abide by all conditions that may be imposed by this Court. He specifically states that pending the conclusion of trial in Sessions Case No. 14 of 2024, the Applicant would not enter the territorial jurisdiction of Pune District, except for attending the hearing of the said case.

12. 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. 34 of 2020 registered with Talegaon MIDC Police Station, Pimpri-Chinchwad for the offences punishable under Sections 307, 504 and 506 of the IPC 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, Vadgaon Maval, Pune.
- b. Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of accusation, so as to dissuade him from disclosing such facts to the Court or to any police officer.
- c. Applicant shall not tamper with the prosecution

witnesses and evidence in any manner.

- d. Applicant shall co-operate in the conduct of the trial of Sessions Case No. 14 of 2024 and shall regularly attend the hearing of the case pending on the file of Additional Sessions Judge, Vadgaon Maval, Pune, on each and every date, unless exempted from appearance.
- e. Applicant upon his release, within a period of three days from his release, shall furnish his cell phone number and residential address with proof to the Investigating Officer, Talegaon MIDC Police Station, Pimpri-Chinchwad and shall keep the same updated, in case of any change thereto.
- f. Applicant shall not enter the territorial jurisdiction of Pune District, till conclusion of the trial of Sessions Case No, 14 of 2024, except for attending the hearing of the said case.

13. Criminal Bail Application No. 596 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

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