

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 711 OF 2025

Khairsindhu alias Sindhu
Johnsan Surendra Pradha
V/s.

...Applicant

The State of Maharashtra

...Respondent.

.....
Mr. Abid Mulani (through VC) a/w. Mr. Chinmay Patil for the
Applicant.

Mr. T.G. Khan, APP for the Respondent/State.

PSI J.S. Pansare, Shikrapur police station is present.

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CORAM : N.R. BORKAR, J.
DATE : 08.05.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.253 of 2019 registered at Shikrapur Police Station, Pune rural for the offence punishable under Section 302 of the Indian Penal Code.
3. According to the prosecution, the deceased and the present applicant were in a live-in-relationship. It is alleged that the relations between the applicant and the deceased were strain. It is alleged that the applicant, thus, committed the murder of the deceased.
4. I have heard the learned counsel for the applicant and the learned APP for the respondent - State.

5. Learned counsel for the applicant has drawn my attention to the orders dated 4.4.2022 in Criminal Bail Application No.696 of 2021 and 4.9.2023 in Criminal Bail Application No. 1296 of 2023 passed by this Court. By the order dated 4.4.2022, the application filed by the present applicant for bail was rejected. However, liberty was granted to the applicant to renew the request for bail after six months, if there is no substantial progress in the trial. Thereafter by order dated 4.9.2023, this Court directed the trial Court to conclude the trial within a period of one year.

6. Learned counsel for the applicant submits that the applicant is in jail for six years and inspite of above order, there is no substantial progress in trial as till date the trial Court has recorded the evidence of only one witness. It is submitted that the case is based on circumstantial evidence. It is submitted that there are no other criminal antecedents against the applicant. It is thus submitted that the applicant may be released on bail.

7. On the other hand, learned APP for the respondent/State submits that the trial has already commenced. It is submitted that considering the nature of crime, the application may not be entertained at this stage.

8. The case is based on circumstantial evidence. The fact that the applicant is in jail for six years is not disputed. Inspite of order passed by this Court dated 4.9.2023 to conclude the trial within a period of one year, there is not even a substantial progress in the

trial. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No. 253 of 2019 registered at Shikrapur Police Station, Pune rural for the offence punishable under Section 302 of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station twice in a month ,i.e., on 1st and 3rd Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

D] The applicant shall cooperate in expeditious disposal of the trial.

E] It would be open to the prosecution to file an application for cancellation of bail, if the applicant commits breach of the aforesaid conditions.

[N.R.BORKAR, J.]