

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 712 OF 2025

Prathamesh Bablu Pawar

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Mayuresh Ingale a/w Mr. Ishan Paradkar, learned Advocate for the Applicant.

Mrs. Shilpa Talhar, learned A.P.P. for the State/Respondent.

API Mr. Sagar Patil attached to Sahakar Nagar Police Station, Pune City is present in the Court.

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**CORAM : ASHWIN D. BHOBE, J.**

**DATE : 11<sup>th</sup> DECEMBER 2025.**

**P.C. :**

1. Heard Mr. Mayuresh Ingale, learned Advocate for the Applicant and Mrs. Shilpa Talhar, 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. 252 of 2022 registered with Sahakar Nagar Police Station, District-Pune for the offences punishable under Sections 120(B), 302, 323 & 504 r/w 34 of the Indian Penal Code Act, 1860 (“**IPC**” for short), Section 37(1)(3) r/w 135 of the Maharashtra Police Act, 1951 and Section 7 of the Criminal Law Amendment Act, 2013.

3. Crime No. 252 of 2022 is registered as Sessions Case No. 595 of 2023 and is before the Court of Additional Sessions Judge, Pune. There are 3 accused and 2 Children in Conflict with Law (CCL) in the present crime. Applicant is Accused No. 3.

4. Applicant was arrested on 12<sup>th</sup> December 2022, since then he is in jail. Criminal Bail Application at Exhibit-14 filed by the Applicant in Sessions Case No. 595 of 2023, was rejected by the learned Additional Sessions Judge, Pune by order dated 18<sup>th</sup> December 2024.

5. Mr. Mayuresh Ingale, learned Advocate for the Applicant submits that the motive, if any in the present crime, is alleged against Gaurav Gokul Kendale (Accused No. 2) in the present crime. He submits that the allegations against the Applicant in the present crime, are of assaulting the victim by kicks and fist blows. He submits that the Applicant is not identified in the Test Identification Parade. He submits that there was no blood found on the clothes of Applicant. He submits that the Applicant does not have any criminal antecedents. He submits that the Applicant is in jail since 12<sup>th</sup> December 2022, however till date charge is not framed.

6. Mrs. Shilpa Talhar, learned A.P.P. for the State/Respondent submits that the involvement of Applicant in the present crime is established. She submits that the Applicant being the friend of Gaurav Gokul Kendale (Accused No. 2) has assisted Gaurav Kendale in the present crime. She fairly submits that the Applicant is not identified in the Test Identification Parade.

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

8. Perusal of the charge-sheet reveals that the assault on Sahil Changdev Kasabe (victim) by weapon (knife) is assigned to the CCL. Applicant is alleged to have assaulted the victim by kicks and fist blows. Applicant was not named in the First Information Report. Though clothes of the Applicant are seized, no blood stains are found on them. As per the case of prosecution, Gaurav Kendale (Accused No. 2), had hatched conspiracy against the victim as the victim used to insult him. No motive is alleged as against the Applicant. Gaurav Kendale (Accused No. 2 has been released on bail by this Court in Criminal Bail Application No. 852 of 2024 (Page 251).

9. Applicant is in jail since 10<sup>th</sup> December 2022. Till date, charge is not framed in Sessions Case No. 595 of 2023 as submitted by Mr. Mayuresh Ingale, learned Advocate for the Applicant.

10. Considering the nature of allegations and the role assigned to the Applicant, I am of the opinion that further custody of the Applicant is not necessary.

11. Mrs. Shilpa Talhar, learned A.P.P. for the State/Respondent submits that the Investigating Officer has apprehension of the Applicant threatening or influencing the prosecution witnesses, one of such witness being the girl-friend of the Applicant. She therefore submits that if the Applicant is released on bail then stringent conditions including the condition of the Applicant keeping himself out of territorial jurisdiction of District-Pune, be

imposed.

12. Mr. Mayuresh Ingale, learned Advocate for the Applicant on specific instructions from the Applicant, states that the Applicant shall abide by all the conditions that may be imposed by this Court and further makes a statement that till conclusion of trial in Sessions Case No. 595 of 2023, the Applicant shall not enter the jurisdiction/s of Sahakar Nagar Police Station, Bharti Police Station, Ambegaon Police Station & Kondva Police Station, District-Pune pending the conclusion of trial in Sessions Case No. 595 of 2023. Statement accepted.

13. 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. 252 of 2022 registered with Sahakar Nagar Police Station, District-Pune for the offences punishable under Sections 120(B), 302, 323 & 504 r/w 34 of the IPC, Section 37(1)(3) r/w 135 of the Maharashtra Police Act, 1951 and Section 7 of the Criminal Law Amendment Act, 2013 on executing P.R. Bond in the sum of Rs. 25,000/- (Rupees Twenty-five Thousand Only) with one solvent surety in the like amount to the satisfaction of the Additional Sessions Judge, Pune.
- b. Applicant shall not directly or indirectly make any inducement, threat or promise to any person/s acquainted with facts of accusation, so as to dissuade

such a person/s from disclosing the facts to the Court or to any police personnel.

- c. Applicant shall not tamper with the prosecution evidence and shall not contact or influence any witness in any manner.
- d. Applicant upon his release from jail, within a period of three days from his release, shall furnish his cell phone number and residential address with proof to the Investigating Officer, Sahakar Nagar Police Station, District-Pune and shall keep the same updated, in case of any change thereto.
- e. Applicant shall appear and report/attend before the Investigating Officer, Sahakar Nagar Police Station, District-Pune twice in a month, i.e., on 2<sup>nd</sup> & 4<sup>th</sup> Saturday of every month from 10.00 a.m. to 1.00 p.m. till conclusion of trial of Sessions Case No. 595 of 2023.
- f. Applicant shall co-operate in the conduct of the trial and shall regularly attend the hearing of Sessions Case No. 595 of 2023, pending on the file of Additional Sessions Judge, Pune, on each and every date, unless exempted from appearance.
- g. Applicant shall not enter the territorial jurisdiction of Sahakar Nagar Police Station, Bharti Police Station, Ambegaon Police Station & Kondva Police Station, District-Pune, till conclusion of the trial in Sessions

Case No. 595 of 2023, except for attending the hearing of the said case and for the purpose of marking his presence before the Investigating Officer of Sahakar Nagar Police Station, District-Pune.

14. Criminal Bail Application No. 712 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

GITALAXMI  
KRISHNA  
KOTAWADEKAR

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