

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1115 OF 2025

Sharad Mahadu Wagh	...Applicant
Versus	
The State of Maharashtra And Anr.	...Respondents

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Ms. Rabecca Gonsalvez, Advocate for the Applicant.

Mrs. P. S. Rane, A.P.P. for the Respondent – State.

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CORAM	:	N. R. BORKAR, J.
DATE	:	25th APRIL, 2025

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 75 of 2022 registered at Ghoti Police Station, District : Nashik for the offences punishable under Section 302 of the Indian Penal Code.
3. The deceased was the sister of the wife of the applicant. The deceased was residing with the applicant and his family. It is alleged that deceased was insisting the applicant to marry her due to which there were constant quarrels. It is alleged that on the date of incident which took

place on 10.06.2022, the deceased was insisting the applicant to marry her and started quarreling with him. It is alleged that during quarrel, she started setting the huts on fire. It is alleged that the applicant thus assaulted the deceased by Koyata and committed her murder.

4. I have heard the learned counsel for the applicant and learned A.P.P for the Respondent-State.

5. The learned counsel for the applicant submits that the incident was not premeditated. It is submitted that the applicant is in jail for three years and except framing of charge, there is no progress in the trial. It is submitted that there are no other criminal antecedents against the applicant.

6. On the other hand, the learned A.P.P for the Respondent-State submits that the case is based on direct evidence. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. I have perused the statements of eye witnesses. *Prima facie* the incident does not appear to be premeditated. The applicant is in jail for three years and except framing of

charge there is no progress in trial. Considering the over all facts and circumstances, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 75 of 2022 registered at Ghoti Police Station, District : Nashik for the offences punishable under Section 302 of the Indian Penal Code on executing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- (iii) The applicant shall attend the concerned Police Station once in a month i.e. on first Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;
- (iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)