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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1343 OF 2025

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Ganpat Kalu Gaikwad

... Applicant

V/s.

The State of Maharashtra

... Respondent

WITH
INTERIM APPLICATION NO.1670 OF 2025
IN
BAIL APPLICATION NO.1343 OF 2025

Mahesh Dashrath Gaikwad

... Applicant

In the matter between

Ganpat Kalu Gaikwad

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Kevic Setalvad, Senior Advocate i/by Mr. Rahul Arote for the applicant in BA.

Mr. Abhishek Kulkarni with Mr. Sagar Wakale for the applicant-intervenor in IA.

Mr. Ashish Chavan, Special PP with Mr. Mayur Mohite and Mrs. Megha S. Bajoria, APP for the respondent-State.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 5, 2025

P.C.:

1. This is an application for regular bail filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS") by the applicant Ganpat Kalu Gaikwad. The

applicant is seeking his release on bail in connection with Crime Register No. 171 of 2024, registered with Hill Line Police Station, Ulhasnagar, for offences punishable under Sections 307, 120(B), 143, 147, 148, 149, 109, 323, 504 of the Indian Penal Code, 1860 (hereinafter referred to as “IPC”) and Section 30 of the Arms Act.

2. The applicant, Ganpat Kalu Gaikwad, is stated to be a former Member of the Maharashtra Legislative Assembly, representing the Kalyan (East) Constituency. The injured person, Mahesh Gaikwad, is a former Corporator of the Kalyan Dombivli Municipal Corporation and also holds a position as Kalyan East City Head of a political party. It is not disputed that the applicant and the injured belong to rival political parties, and there has been previous political rivalry and friction between them. On 31st January 2024 and 1st February 2024, certain altercations are alleged to have taken place between the applicant and Mahesh Gaikwad.

3. As per the case of the prosecution, on 2nd February 2024, members of both political groups gathered at the Hill Line Police Station, demanding registration of criminal cases against each other. At around 9.30 p.m., while Mahesh Gaikwad, along with Rahul Patil and Chainu Jadhav (the first informant), was sitting in the cabin of the Senior Police Inspector (Sr. PI), the applicant Ganpat Gaikwad and his associate Vicky Ganatra entered the same cabin. Thereafter, a commotion ensued as members of both factions began arguing. The Sr. PI, Mr. Anil Jagtap, along with other police officers, was trying to pacify the situation. As the commotion intensified, Sr. PI Jagtap stepped out of the cabin to

manage the situation outside.

4. The prosecution has further alleged that, at this point, while Mahesh Gaikwad and others were seated in the Sr. PI's cabin, the applicant Ganpat Gaikwad suddenly took out a revolver concealed in his waist and opened fire with an intent to kill Mahesh Gaikwad and Rahul Patil. In the course of firing, he also aimed towards the informant. Several bullets struck Mahesh Gaikwad, causing him to collapse on the ground. It is alleged that the applicant then sat on Mahesh Gaikwad's body and hit him multiple times on his head with the butt of the revolver, thereby inflicting further grievous injuries.

5. At that time, co-accused Harshal Kene is said to have entered the Sr. PI's chamber and fired four rounds from his revolver towards Mahesh Gaikwad. He is also alleged to have slapped the informant, which caused him to flee from the police station. Moreover, accused Harshal Kene and co-accused Kunal Patil are stated to have restrained the bodyguard of Mahesh Gaikwad, preventing him from intervening. They also allegedly assaulted the bodyguard and attempted to snatch his firearm. The entire act is alleged to have been carried out by the accused persons as members of an unlawful assembly, with the common object of causing terror, grievous hurt and attempted murder within the precincts of a police station.

6. Shri Setalvad, the learned Senior Advocate appearing on behalf of the applicant, submitted that the present case has its roots in a civil dispute concerning a parcel of land. According to

him, one Namdev Jadhav had entered into an agreement in respect of the said land with a legal entity, Fair Deal Developer Company, in which the applicant's son is a partner. The said dispute was adjudicated in favour of the Fair Deal Developer Company by the Additional Collector in appropriate proceedings. However, despite such adjudication, on 2nd February 2024, the injured Mahesh Gaikwad, along with his associates, is alleged to have trespassed upon the said land, obstructed the ongoing work, and removed the fencing erected by the applicant's son.

7. It is submitted that in response to this act of trespass, the partners of Fair Deal Developer Company approached the Hill Line Police Station at around 4:00 p.m. on the same day. However, instead of taking prompt action, the police authorities allegedly made them wait for more than three hours, and only thereafter recorded the statement of one Jitendra Parekh at around 7:00 p.m. The learned Senior Advocate contends that the police then called the injured Mahesh Gaikwad to the police station, who arrived at around 9:00 p.m. along with a crowd of supporters. It is alleged that this crowd created a ruckus at the police station and physically mishandled the applicant's son. Upon receiving this information, the applicant rushed to the police station and entered the cabin of the Senior Police Inspector. It is further submitted that after some time, the Sr. PI went out of the cabin to calm down the unruly crowd, and only thereafter the alleged incident of firing took place. It is the applicant's case that the Sr. PI returned to the cabin and intervened after the firing had occurred.

8. Learned Senior Advocate further contends that the act attributed to the applicant was not premeditated. He submits that the applicant had no prior intention of visiting the police station or assaulting anyone. However, having come to know that his son was being illegally detained at the police station and his complaint was not being recorded, the applicant went there to enquire about the matter. It is submitted that on viewing CCTV footage inside the Sr. PI's cabin, the applicant allegedly saw that his son was being assaulted outside the station by certain persons. Acting in a sudden fit of rage and emotional distress, and without any prior preparation or planning, the applicant allegedly fired his weapon.

9. It is further argued that no prudent or reasonable person would ordinarily commit such an act inside a police station unless provoked. The learned Senior Advocate emphasised that there is no evidence to suggest any criminal conspiracy, and this aspect has also been considered while granting bail to other co-accused in the matter. He submitted that the incident, even if taken at its face value, may at the highest fall within the scope of Section 308 of the IPC, which deals with attempt to commit culpable homicide not amounting to murder. The applicant, it is submitted, is a respected public representative and has deep roots in society. There is no possibility of him fleeing from justice or tampering with evidence. The applicant was arrested on 3rd February 2024 and has already undergone incarceration for a period of around 17 months. In these circumstances, the learned Senior Advocate prays that the applicant be released on regular bail.

10. On the other hand, Shri Ashish Chavan, learned Special Public Prosecutor, has strongly opposed the present bail application. He submitted that the act committed by the applicant is not sudden or accidental, but is premeditated and committed in furtherance of a common object shared with the other co-accused persons. According to him, the accused persons had formed an unlawful assembly with the intention to assault and eliminate the rival group. It is specifically alleged that the applicant fired as many as six rounds from his revolver targeting injured Mahesh Gaikwad and also aimed shots at Rahul Patil. All six bullets that were loaded in the revolver were emptied by the applicant.

11. It is further submitted that even after firing all the rounds and causing Mahesh Gaikwad to collapse on the ground, the applicant noticed that Mahesh Gaikwad was still alive. At that point, the applicant allegedly sat on the chest of the injured and struck multiple blows with the butt of the revolver on his head in an extremely violent manner. The learned Special Prosecutor submitted that this entire episode was captured in the CCTV footage installed inside the chamber of the Senior Police Inspector of Hill Line Police Station. In light of this clear and direct electronic evidence, the applicant cannot be heard to say that he has been falsely implicated in the offence.

12. As regards the applicant's contention that the incident occurred in the heat of the moment and that there was no intention to cause death, the learned Prosecutor submitted that even if such a submission is accepted hypothetically, the applicant,

being a former Member of Legislative Assembly and a responsible public figure, was certainly expected to be aware that firing six bullets from a revolver at a person could lead to fatal consequences. He stressed that the survival of the injured was solely due to the timely and efficient medical assistance provided. Furthermore, it was only due to the intervention of police officers that the applicant was prevented from further attacking the injured; otherwise, the applicant and his associates would have killed Mahesh Gaikwad inside the police station itself.

13. The learned Prosecutor submitted that the very fact that such a grave and violent offence was committed within the premises of a police station demonstrates the applicant's audacity and disregard for the rule of law. He argued that if the applicant is released on bail, there is every possibility that he may attempt to threaten or harm key witnesses including the injured Mahesh Gaikwad and Rahul Patil, who are direct eyewitnesses to the incident. There is also a grave possibility that the applicant may misuse his political clout to pressurize or influence witnesses. The prosecution claims that the case against the applicant is supported by a strong chain of evidence, which includes eyewitness accounts of civilians and police personnel, the CCTV footage from the police station, and the medical and forensic evidence.

14. The learned Prosecutor further pointed out that the revolver used by the applicant has been sent for ballistic examination. The ballistic expert has positively opined that the bullets recovered from the injured's body were fired from the revolver seized from the possession of the applicant, thereby scientifically corroborating

the prosecution case.

15. It is also brought to the Court's notice that during the course of investigation, the police recovered an audio clip of an interview given by the applicant to a news channel, namely Zee 24 Taas. In this audio recording, the applicant is purportedly heard admitting that he intended to kill the injured and shows no remorse for his actions. The said audio clip was sent to the Forensic Science Laboratory (FSL) at Kalina along with the applicant's voice sample. The FSL has submitted a positive report confirming that the voice in the audio clip matches that of the applicant, thereby providing further incriminating material against him.

16. The learned Special Prosecutor has also placed on record the criminal antecedents of the applicant. It is submitted that the applicant has been involved in multiple offences dating back to the year 2000. Crime Register Numbers 183/2000, 47/2014, 43/2014, 119/2013, 494/2020, 187/2009, and 172/2024 are shown to be registered against him at Vitthalwadi, Kolsewadi, and Hill Line Police Stations. Notably, offences in Crime No. 183/2000 and Crime No. 187/2009 are registered under Section 307 of the IPC. In view of such a criminal history, the learned Prosecutor submits that there is a real and substantial likelihood that if released on bail, the applicant may again resort to committing serious offences or may tamper with the prosecution evidence by threatening the witnesses.

17. In support of his submissions, the learned Special Prosecutor relied upon the decisions of the Supreme Court in *State of Kerala v.*

Mahesh, (2021) 14 SCC 86, and of this Court in *Pradeep v. State of Maharashtra*, 2012 SCC OnLine Bom 1106, to contend that the heinousness and gravity of the offence are important considerations while deciding bail applications, especially when the accused has a history of violence and there is strong prima facie material against him.

18. Shri Abhishek Kulkarni, the learned Advocate appearing on behalf of the intervener/victim, also opposed the grant of bail to the applicant. He submitted that the applicant was earlier a sitting Member of the Legislative Assembly (MLA) and presently his wife holds the said elected position. Due to this political background and influence, there exists a serious and genuine apprehension that the applicant may misuse his position, resources, and political connections to tamper with the evidence and pressurize the witnesses.

19. It was further submitted that considering the gravity of the offence, the influence which the applicant and his family wield in the local area, and the fact that the main injured and other key witnesses reside in the same locality, the threat of coercion, inducement or intimidation cannot be ruled out. According to the learned counsel, the case is not an ordinary one but involves a direct assault on a public representative inside a police station, and therefore, strict view needs to be taken.

20. Shri Kulkarni contended that the fair trial rights of the victim and other witnesses must be preserved, and releasing the applicant on bail at this stage would send a wrong signal, not only to the

society at large but also to the persons connected with the investigation and trial. Hence, he urged that the present application be rejected.

21. I have carefully considered the submissions made by the learned Senior Advocate for the applicant, the learned Special Public Prosecutor for the State, and the learned Advocate appearing on behalf of the intervener/victim. I have also perused the FIR, statements of material witnesses, CCTV footage, forensic reports, and other documents placed on record.

22. The allegations against the applicant are of extremely grave and disturbing nature. It is the specific case of the prosecution that the applicant, who is a former elected representative (MLA), brazenly entered the cabin of the Senior Police Inspector at Hill Line Police Station, armed with a loaded revolver. It is alleged that he opened fire and discharged two rounds of bullets upon the injured Mahesh Gaikwad, with the clear intention of causing his death. It is further alleged that he also aimed and fired at another person present, Rahul Patil, thereby attempting to cause him fatal injuries as well.

23. However, the matter does not stop at the act of firing alone. The prosecution has alleged that after emptying all bullets from the revolver, the applicant noticed that the injured Mahesh Gaikwad was still alive. At this point, the applicant is stated to have sat on the injured person's chest and inflicted multiple forceful blows on his head using the butt of the revolver, a part not meant for attack, further aggravating the assault. Such an act, if

taken to be true, demonstrates not only an intention to kill but also reveals the applicant's determination to ensure fatal consequences, irrespective of the location and presence of police officers.

24. These allegations, viewed in the context of the place where the incident occurred, inside the cabin of a senior police officer within the four corners of a police station, add a serious dimension to the entire episode. A police station is presumed to be a secure place for redressal of disputes and protection of life and liberty. If a violent crime of this scale is allowed to take place within such a protected zone, it shakes the confidence of the public in the ability of law enforcement machinery to maintain peace and order. A person, more so a public representative, engaging in such conduct reflects not only disregard for the rule of law but also sends a message of fear and intimidation to the citizens at large.

25. This Court is conscious of the fact that an accused is presumed innocent until proven guilty. However, at the stage of considering bail, the Court cannot remain oblivious to the gravity of the offence and the manner in which it was committed. The nature of the allegations, the place of occurrence, and the conduct of the applicant, as narrated in the FIR and corroborated prima facie by CCTV footage and medical evidence, all suggest that the applicant's act was not one of mere provocation or sudden anger, but a deliberate and violent assault carried out with aggression. Such circumstances militate against the grant of bail at this stage.

26. The prosecution has relied upon crucial material in the form of CCTV footage recorded from within the police station premises,

more particularly, from the cabin of the Senior Police Inspector where the incident took place. This CCTV footage has been made part of the case record and, upon perusal, it appears to prima facie support the version put forth by the first informant and the injured eyewitnesses. The visual evidence captured in real-time provides an independent and unbiased account of the manner in which the incident unfolded, leaving little scope for manipulation or exaggeration.

27. The importance of such electronic evidence at the stage of consideration of bail cannot be overstated. In the present case, the CCTV footage not only corroborates the sequence of events narrated in the FIR and statements of eyewitnesses, but also directly implicates the applicant in the act of firing within the police station and thereafter, inflicting further injuries on the injured person. This lends substantial weight to the prosecution's claim that the assault was not only deliberate, but also unprovoked and unrestrained.

28. Further, the ballistic report submitted by the Forensic Science Laboratory (FSL) has confirmed that the bullets recovered from the body of the injured person match the firearm, specifically the revolver, that was seized from the possession of the applicant. This scientific evidence forms an important link in the chain of circumstances and, at this stage, establishes a strong prima facie connection between the injuries caused and the weapon used by the applicant. The chain of recovery and the positive opinion of the ballistic expert fortify the prosecution's case and reduce the likelihood of any false implication.

29. Thus, both the CCTV footage and the ballistic report, being objective and technical in nature, lend credible and substantial support to the version of the prosecution. At the stage of bail, where the Court is not expected to delve into detailed evaluation of evidence, the presence of such strong prima facie material is sufficient to justify denial of bail, especially in a case involving serious offences punishable under Section 307 of IPC and Section 30 of the Arms Act. These circumstances, therefore, weigh heavily against the applicant's claim for release on bail.

30. The applicant has taken a plea that the alleged incident occurred in a sudden fit of rage, without any preplanning or intention to kill, and that the act was the result of an impulsive reaction to provocation. However, this defence, at least at the present stage, cannot be accepted, in light of the material placed on record, particularly the CCTV footage and statements of eyewitnesses, including the injured.

31. The sequence of events, as captured on CCTV and corroborated by consistent witness accounts, reveals that the applicant came to the police station while armed with a loaded revolver. This fact, by itself, is of serious concern. A police station is not a battlefield, and an ordinary citizen, more so a former Member of Legislative Assembly (MLA), is not expected to visit a police station carrying a weapon, unless there is a deliberate intention to use it. The very act of entering the premises of a police station with a loaded firearm reflects a degree of conscious preparation and readiness to use force, rather than a spontaneous or uncontrolled emotional outburst.

32. Further, the conduct of the applicant after firing all the bullets, as alleged by the prosecution, belies the claim of sudden provocation. The injured Mahesh Gaikwad had reportedly collapsed on the ground after being shot. However, instead of withdrawing or calming down, the applicant is seen allegedly sitting on the injured person's chest and repeatedly hitting him on the head with the butt of the revolver. Such a violent act, inflicted on a defenceless and already injured person, does not appear to be the result of mere anger or provocation. Rather, it indicates a determined and aggravated assault, carried out with the clear intent to cause maximum harm.

33. The plea of sudden rage also loses credibility in view of the applicant's social and political standing. As a public figure, he is expected to exhibit restraint and respect the authority of law enforcement institutions. His actions, however, show the exact opposite, a conscious disregard for the sanctity of the police station and the rule of law. Therefore, the defence of impulsive conduct or absence of premeditation does not inspire confidence and appears to be an afterthought, raised only to dilute the gravity of the offence.

34. In view of the above, this Court finds that the applicant's explanation does not withstand scrutiny and the material on record prima facie discloses a preplanned and violent act, which cannot be condoned at the stage of bail.

35. The prosecution has further relied upon an important piece of evidence in the form of an audio recording of an interview

allegedly given by the applicant to a private news channel. In this interview, the applicant is reportedly heard making a clear and direct admission that he intended to kill the injured Mahesh Gaikwad. Not only that, but the applicant also does not express any remorse or regret for his actions during the course of this recorded conversation.

36. Such an open admission, made voluntarily to the media and not under duress, assumes significance while considering the overall conduct and state of mind of the applicant. It reflects that even after the incident, the applicant did not show any sign of repentance, but instead sought to justify his act publicly. This reinforces the prosecution's case that the act was not only deliberate and intentional but was also carried out with a sense of impunity and confidence that there would be no consequences.

37. To ensure the authenticity of this recording, the investigating agency sent the audio clip along with the applicant's voice sample to the Forensic Science Laboratory (FSL), Kalina. The report received from the FSL has confirmed that the voice heard in the recording is indeed that of the applicant. This scientific confirmation rules out the possibility of fabrication or impersonation, and lends further credibility to the prosecution's material.

38. The significance of this audio recording is twofold, firstly, it amounts to a post-incident admission, which carries evidentiary value; and secondly, it reveals the mental state and lack of remorse of the applicant even after such a serious incident, thereby raising

concerns about his future conduct if released on bail. This material, though subject to proof at trial, cannot be ignored at the stage of bail, where the Court is required to assess whether the accused, if released, is likely to abuse the liberty granted to him or interfere with the fair course of justice.

39. Considering the gravity of the statement made by the applicant, coupled with its forensic confirmation, this Court is of the opinion that such conduct tilts the balance against the grant of bail, as it strengthens the prosecution's case on both factual and behavioural grounds.

40. The apprehension expressed by the State and the intervener/victim that the applicant may tamper with evidence or influence witnesses, if released on bail, cannot be treated as vague or imaginary. On the contrary, in the facts and circumstances of the present case, such apprehension appears to be real, substantial, and well-founded.

41. It is not in dispute that the applicant is a former Member of Legislative Assembly (MLA) and continues to have significant social and political presence in the local area. Further, his spouse is presently a sitting MLA, which only adds to the family's reach and influence in the region. Such political stature and proximity to power naturally create an atmosphere of fear and pressure, especially for those who are likely to testify against the applicant.

42. Many of the material witnesses in this case, including the injured Mahesh Gaikwad and eyewitness Rahul Patil, as well as several police officers who were present during the incident, are

either residents of the same locality or subordinate public servants. There exists a genuine concern that these witnesses may be threatened, coerced, or induced into retracting or diluting their statements if the applicant is granted bail. The potential of interference with the ongoing investigation and upcoming trial, therefore, cannot be ignored.

43. The Court is duty-bound not only to ensure the rights of the accused but also to safeguard the integrity of the trial process. The law recognises that in serious and politically sensitive cases, powerful accused may attempt to misuse their liberty to derail the process of justice. In the present case, the incident has occurred inside a police station, a place meant to be a symbol of law and order, which further magnifies the concern of witness intimidation, as even law enforcement personnel may feel unsafe or hesitant to depose freely.

44. Hence, in such circumstances, granting bail to the applicant at this stage may result in irreparable harm to the prosecution's case and undermine public confidence in the justice system. These concerns are not speculative, but are firmly rooted in the applicant's background, conduct, and the nature of the allegations. Therefore, the possibility of the applicant misusing his position and liberty, if released, is a relevant and compelling ground to decline bail.

45. Another important factor which cannot be ignored while considering the present bail application is the criminal antecedents of the applicant. The prosecution has placed on record that the

applicant has a history of involvement in multiple criminal cases, several of which are of serious nature. Notably, offences under Section 307 of the Indian Penal Code, i.e., attempt to murder, have also been registered against him in the past, specifically in Crime No. 183/2000 and Crime No. 187/2009.

46. While it is true that the mere pendency of earlier cases or FIRs cannot, by itself, be treated as a bar to grant of bail, it is equally well settled that the nature, pattern and frequency of past offences are relevant considerations when the Court is required to assess the future conduct of the accused. In the present case, the allegations in earlier cases are not of trivial or technical nature, but involve violent conduct, including offences against human body and law enforcement.

47. When the past record of the applicant is viewed cumulatively with the present allegations, a pattern of habitual aggression and disregard for the law emerges. The present incident, wherein the applicant is accused of opening fire and brutally assaulting a political rival within the precincts of a police station, reflects escalation of such violent tendencies, rather than reformation or restraint.

48. This Court is conscious of the principle that every accused is presumed innocent until proven guilty. However, the risk of repetition of similar violent offences, especially when the applicant is shown to be a repeat offender in cases involving bodily harm, cannot be overlooked. The possibility of the applicant again resorting to acts of violence against witnesses or rivals, if enlarged

on bail, appears genuine and imminent.

49. In such a scenario, enlarging the applicant on bail may not only jeopardise the safety of key witnesses but may also undermine the faith of the public in the criminal justice system, particularly in its ability to act impartially against persons holding social or political influence.

50. Therefore, the criminal history of the applicant, when taken together with the gravity of the present incident and the strength of the evidence collected so far, tilts the balance against the exercise of discretion in favour of bail.

51. The act alleged against the applicant is not merely a personal assault or political rivalry turning violent, it is an act which, if proved, shakes the very foundation of the rule of law. The applicant is accused of firing multiple rounds of bullets at a political opponent inside a police station, that too in the presence of police officers, and then continuing the assault after the victim collapsed. Such conduct, on the face of it, is not only blatantly unlawful and violent, but it also sends a deeply disturbing message about the extent to which a person may go to settle scores, even in the most protected institutional setting.

52. Police stations are meant to be symbols of safety, order and lawful authority. If such an act of aggression can take place within its four walls, it creates a serious atmosphere of fear and helplessness, not only for the common man but even for the police machinery. It has the potential to discourage victims from approaching the police, undermine the morale of police personnel,

and deter witnesses from coming forward. The law cannot allow a situation where citizens, especially those involved in public life, act as if they are above the law, even within the premises of law enforcement agencies.

53. Such an incident, if not dealt with strictly and if bail is granted at this early stage of trial, may send a wrong and dangerous message to society, that influence and status can override the seriousness of the crime and that the justice system can be circumvented by those with power. It may also create an impression that even the courts are helpless in ensuring accountability where public office bearers are involved.

54. The individual liberty must be balanced with the interest of society and the gravity of the offence. While liberty of a person is precious, it cannot be allowed to be a passport for the commission of serious crimes.

55. This Court, therefore, is of the opinion that grant of bail at this stage, in a case of such grave allegations supported by prima facie evidence including CCTV footage, ballistic and forensic reports, and eyewitness accounts, would not be in the interest of justice. On the contrary, it may erode public confidence in the impartiality and effectiveness of the legal process.

56. The need of the hour is to ensure that the majesty of the law is preserved, and those who allegedly violate it in such brazen manner are subjected to due process without allowing any possibility of misuse of liberty. Hence, in the larger interest of justice and public order, this Court is not inclined to exercise

discretion in favour of granting bail to the applicant.

57. In support of the opposition to the present bail application, the learned Special Public Prosecutor has rightly placed reliance on binding judicial precedents which emphasize the importance of the gravity of the offence and its broader impact on society as relevant factors while deciding the question of bail.

58. In the case of *State of Kerala v. Mahesh*, (2021) 14 SCC 86, the Supreme Court has clearly held that in cases involving heinous and grave offences, the seriousness of the crime, the manner in which it is committed, and its effect on public confidence in the legal system, must be given due consideration. The Court observed that while personal liberty of an accused is important, it cannot override the collective interest of the society and the need to maintain public order, especially where the crime shocks the conscience of the community. This principle squarely applies to the present case.

59. Similarly, in *Pradeep v. State of Maharashtra*, 2012 SCC OnLine Bom 1106, this Court has reiterated that in cases where the offence is so serious that it shakes the conscience of the society and has the effect of undermining public trust in the criminal justice system, the grant of bail would not be justified. The Court emphasized that grant of bail in such cases may be seen as a failure of the justice delivery mechanism, and may embolden persons with political or social influence to act with impunity.

60. In the present case, the allegations against the applicant involve a violent and deliberate assault inside a police station, an

institution meant to be a place of safety and enforcement of law. The attack is alleged to have been carried out not in secrecy or seclusion, but in full public view, within the very chamber of a Senior Police Inspector. If such an act is viewed leniently at the stage of bail, it would defeat the principle that no one is above the law, and it would dilute the authority of law enforcement agencies and the courts.

61. Therefore, applying the settled principles laid down in the above judgments, and in view of the heinousness of the offence, the strong prima facie evidence, the likelihood of witness intimidation, and the need to preserve public confidence in the administration of justice, this Court finds no justification to grant bail to the applicant at this stage.

62. Upon considering the totality of circumstances, including the gravity of the offence, the nature of the allegations, the prima facie material on record such as CCTV footage, ballistic and forensic reports, and the serious apprehension of tampering with evidence and influencing witnesses, this Court is of the considered view that the present case does not warrant the exercise of discretionary powers in favour of the applicant.

63. The offence alleged against the applicant, if ultimately proved, is not only heinous but also indicative of a complete disregard for the rule of law and public safety. The manner in which the offence is alleged to have been committed, the location where it occurred, and the applicant's own post-incident conduct raise serious concerns regarding the possibility of obstruction of

justice if he is released on bail.

64. In such circumstances, the Court finds that no case is made out for grant of bail at this stage. The risk to the integrity of the trial, the potential threat to witnesses, and the need to preserve public confidence in the justice system outweigh the personal liberty of the applicant at this stage of proceedings.

65. Accordingly, the application for grant of regular bail is rejected.

66. It is made clear that the observations made herein are only for the purpose of deciding this bail application and shall not influence the trial on merits.

67. In view of this order, all pending interim application(s) stand disposed of.

(AMIT BORKAR, J.)