

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

CRIMINAL BAIL APPLICATION NO. 1448 OF 2025

Balkrishna Shantaram Desai. ... Applicant.
Vs.
The State of Maharashtra & Anr. ... Respondents.

Dr. Uday P. Warunjikar a/w. Mr. Sumit Kate i/b. Ms. Sonali Chavan,
Advocate for the Applicant.
Mr. A.S. Shalgaonkar, APP for Respondent/State.
IO Vaibhav Markad, Bangur Nagar Police Station.

**CORAM : ASHWIN D.BHOBE, J.
DATE : 5th JUNE, 2025.
(VACATION COURT)**

PC. :

1. Heard Dr. Warunjikar, learned Advocate for the Applicant and Mr. A.S. Shalgaonkar, APP for the Respondent No. 1.
2. This Court by its Order dated 9th April, 2025 had recorded a submission of Dr. Warunjikar, learned Advocate for the Applicant in respect of the subject matter of the crime and had called upon the learned APP to take instructions in the context of the request for bail as made by the Applicant.
3. By Order dated 15th May, 2025, this Court had passed the following order :

“1. Heard learned counsel for the parties with their assistance

Order is corrected as per the Speaking to the Minutes of the order dated 25th June, 2025
Talwalkar

we have perused the record. Mr. Warunjikar would press for the grant of bail to the applicant primarily on the ground that informant/complainant has consented for the grant of bail to the present applicant. He would submit that there are certain documents/affidavits on record in this regard. The complainant/informant is Mr. Rajesh Mohite, who is present in Court today.

2. The learned APP would take instructions. In the meantime he would submit the statement of the complainant, who is present in the Court would also be recorded by the Investigating Officer. A short affidavit/reply, if necessary, would also be filed on or before the returnable date.

3. Considering the peculiar facts and circumstances particularly, that the complainant has consented to the bail of the applicant as submitted by the Mr. Warunjikar and also that the disputes are settled, the application is kept for further consideration on 26 May 2025.”

4. On 26th May, 2025, at the request of the parties, this Application was adjourned.

5. Mr. Shalgaonkar, learned APP for State has tendered the statement of the Respondent No. 2 recorded by the Investigating Officer Mr. Vaibhav Markad who is present in the court and states that further custody of the Applicant is not required. The same is taken on record and marked “X” for identification. Learned APP states that investigation is completed and charge-sheet is filed.

6. In view of the statement made by the learned APP Mr. Shalgaonkar on instructions of Mr. Vaibhav Markad, IO who is present

in the court, this Application is allowed, subject to following terms :

(a) The Applicant Balkrishna Shantaram Desai be released on bail in connection with C.R.No. 36/2025 at the Bangar Nagar Police Station, Mumbai for the offences u/s. 109 (1) of the Bhartiya Nyay Sanhita, 2023 on furnishing of P.R. bond in sum of Rs. 20,000/- with one or two sureties in the like amount to the satisfaction of the learned Sessions Court, Dindoshi Mumbai in respect of Sessions Case No. 205/2025"

(b) The Applicant shall attend the trial (Case No. 1329/PW/2025) as and when cognizance is taken by the concerned Court.

(c) The Applicant shall not tamper with the evidence or threaten to the witnesses.

7. The Criminal Bail Application is disposed of accordingly.

[ASHWIN D.BHOBE, J.]