

Ajay

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

CRIMINAL BAIL APPLICATION NO. 1464 OF 2025

Shree Ambadas Jogdhankar

.. Applicant

Versus

The State of Maharashtra

.. Respondent

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- Mr. Gaurav Bhavnani a/w. Mr. Abdul Wahab Khan, Advocates for Applicant.
 - Mr. Pradip D. Gharat, Special PP for Respondent – State.
 - Ms. Gayatri Gokhale a/w. Mr. Aakash Desai and Mr. Trivankumar Karnani, Advocates for Intervenor.

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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 09, 2025.

P.C.:

1. Heard Mr. Bhavnani, learned Advocate for Applicant; Mr. Gharat, learned Special PP for Respondent – State and Ms. Gokhale, learned Advocate for Intervenor.

2. In the present crime, Applicant is a young offender as informed by Mr. Bhavnani having been incarcerated for an offence under Section 302 of the Indian Penal Code, 1860 (for short ‘**IPC**’). According to him, from the facts emanating from the prosecution case at the highest charge leviable against the Applicant would be under Section 304(II) of IPC. He would fairly submit that previous Bail Application of the Applicant having been rejected, the Applicant had also approached the Supreme Court, certain directions were passed by

the Supreme Court for framing of charge in the order. He would submit that thereafter the trial has commenced. Probable 44 witnesses have been stated in the charge-sheet by the prosecution and evidence of 37 witnesses is completed as on today.

3. Mr. Gharat, learned Special PP would persuade the Court to consider that on taking instructions the prosecution would now desire to examine at the highest only 8 more witnesses including the Investigating Officer in the present crime. He would therefore persuade the Court to consider the gravity of the crime and allow the prosecution to complete the trial lest release of Applicant may influence the trial.

4. There is an intervention sought by Ms. Gokhale, learned Advocate appearing on behalf of the deceased victim instructed by her parents. She would submit that she be allowed to intervene. If any Intervention Application is desired to be filed, the same is permitted to be filed and copy of the same shall be served on Mr. Bhavnani as also Mr. Gharat, learned Special PP for the State. Intervention Application of the Intervenor shall be considered by the Court appropriately.

5. Considering the trajectory of the trial in the past more than 1 year after passing of the Supreme Court order, it is *prima facie* seen that the trial has been going on before the Trial Court consistently. In that view of the matter, it is directed to the Trial Court to ensure that

the trial is expedited before the hearing of the present Application on the next adjourned date.

6. I am informed that the next date before the Trial Court is on 16.04.2025. In that view of the matter, Trial Court is requested by this Court to ensure that the trial is expedited and the evidence of the 8 witnesses is completed as expeditiously as possible. A copy of this order shall be placed before the Trial Court by the Advocate of Applicant for consideration. Progress shall be apprised to the Court on the next adjourned date.

7. List the Bail Application on Board on **18th June, 2025.**

[MILIND N. JADHAV, J.]

Ajay

Digitally signed
by AJAY
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Date: 2025.04.09
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