

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

CRIMINAL BAIL APPLICATION NO. 1519 OF 2025

Mrs. Sujata Mahesh Pawar

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Shailesh Kharat, learned Advocate for the Applicant.

Ms. Veera Shinde, learned A.P.P. for the State/Respondent.

PSI Mr. Shriram Palve attached to Saswad Police Station, Pune is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 27th JUNE 2025.

P.C. :

1. Heard Mr. Shailesh Kharat, learned Advocate for the Applicant and Ms. Veera Shinde, 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. 189 of 2022 registered with Sanswad Police Station, Pune for the offences punishable under Sections 406, 420, 465, 471, 170 and 171 read with 34 of the Indian Penal Code Act, 1860 ("IPC" for short).

3. Mr. Shailesh Kharat, learned Advocate for the Applicant states that Crime No. 189 of 2022 is now registered as RCC No.

115 of 2022 and is pending before the Court of learned Judicial Magistrate First Class, Sanswad.

4. There are 6 Accused in the present crime. Applicant is Accused No. 1.

5. Mr. Shailesh Kharat, learned Advocate submits that the request for bail made by the Applicant in the present Application, is on two counts, *firstly*, on the ground of long incarceration and *secondly*, on the ground that a co-accused viz. Harishchandra Mahadev Jadhav (Accused No. 2) in the said crime has been released on bail.

6. On the first ground, Mr. Shailesh Kharat, learned Advocate submits that the Applicant was arrested on 12th May 2022 in the present crime and is in jail for a period of 3 years and 1 month. He submits that the prosecution has listed 41 witnesses and presently 6 witnesses have been examined.

7. On the second ground, Mr. Shailesh Kharat, learned Advocate submits that the allegations against Accused No. 2 in the said crime, are similar and identical to the allegations made against the Applicant. He therefore submits that the Applicant be released on bail on the said two grounds. He relies on the orders of this Court in the case of *Vikas Chandrakant Patil v/s. The State of Maharashtra*¹ and *Niklesh Prakash Patil v/s. The State of Maharashtra*² in support of his contention on the ground of long incarceration.

1 Bail Application No. 1963 of 2025 decided on 9th May 2025.

2 Bail Application No. 1208 of 2025 decided on 8th May 2025.

8. Ms. Veera Shinde, learned A.P.P. for the State/Respondent submits that though the allegations/role of Accused No. 2 can be said to be similar to the role of Applicant, however the quantum of amount recovered from the Applicant is more than that of the amount recovered from Accused No. 2. She submits that it is a fact that the Applicant is in jail for a period of 3 years and 1 month as on date. She submits that though the prosecution has listed 41 witnesses, all of them may not be examined.

9. I have perused the records and the order dated 10th June 2024 passed by this Court in Criminal Bail Application No. 3217 of 2023 filed by Harishchandra Mahadev Jadhav (Accused No. 2).

10. Perusal of the charge-sheet on record reveals that the allegations and the role assigned to the Applicant herein is similar to the role/involvement as was assigned to Accused No. 2. This Court after considering the case of Accused No. 2, has released him on bail by order dated 10th June 2024 (Page 321 of the paper-book). Applicant being similarly situated like Accused No. 2 in the present crime, principle of parity would be applicable to the case of Applicant.

11. Applicant is in jail for a period of 3 years and 1 month. Trial is still in progress. Applicant would be justified in pressing his right of speedy trial.

12. 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. Crime No. 189 of 2022 registered with Sanswad Police Station, Pune for the offence punishable under Sections 406, 420, 465, 471, 170 and 171 read with 34 of the IPC on executing P.R. Bond in the sum of Rs. 25,000/- (Rupees Twenty-five Thousand Only) with one or two sureties in the like amount to the satisfaction of the learned Judicial Magistrate First Class, Sanswad.

- b. Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- c. Applicant shall not tamper with evidence.
- d. Applicant shall co-operate with the trial and shall regularly appear before the learned Judicial Magistrate First Class, Sanswad in RCC No. 115 of 2022, unless specifically exempted by the learned Trial Court.

13. Criminal Bail Application No. 1519 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

Digitally signed
by GITALAXMI
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KOTAWADEKAR
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