

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

CRIMINAL BAIL APPLICATION NO. 2024 OF 2025

Vijay Dattatray Kharkar

...Applicant

VERSUS

The State of Maharashtra and Anr.

...Respondents

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Mr. Niranjan Mundargi a/w Adv. Veerdhawal Deshmukh i/b
Ms. Aparna Shinde, Advocate for the Applicant.

Mr. C. D. Mali, A.P.P. for the Respondent – State.

Mr. Rangan Hajumdar a/w Mr. Tanay M., a/w Mr. Sandeep
Raman, a/w Ms. Poushali R., for the Intervenor.

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CORAM : N. R. BORKAR, J.
DATE : 08.05.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 120 of 2024 registered at N.R.I. Sagri Police Station, Navi Mumbai for the offences punishable under Sections 307, 326, 324, 143, 144, 147, 148, 149, 354, 323, 504, 506, 452 and 201 of the Indian Penal Code.
3. The injured, who is the husband of the complainant in the present crime and the applicant were residing in the same housing society. On the date of incident, which took place on 16.04.2024 at about 9.00 a.m. dispute arose

between the parties over non-functioning of the lift of their residential building. It is alleged that during the said dispute present applicant and other co-accused assaulted the complainant and her husband with steel rod, fist and kick blows and attempted to kill them.

4. I have heard the learned counsel for the applicant, the learned APP for the respondent/State and learned counsel for the complainant/intervenor.

5. The learned counsel for the applicant has drawn my attention to the order passed by this Court dated 27.01.2025 in Criminal Bail Application No.3532 of 2024. By the said order, the applicant was allowed to withdraw his application for bail with liberty to file a fresh application after three months. The learned counsel for the applicant submits that the applicant is in jail for one year and the trial is still at the stage of framing of charge. It is submitted that there are no other criminal antecedents against the applicant.

6. On the other hand, the learned APP for the Respondent/State and learned counsel for the complainant/intervenor submit that the present applicant is the main assailant. It is submitted that the present applicant has assaulted the injured by iron rod. It is submitted that the injured has still not recovered from the said injury. It is thus submitted that the application be rejected.

7. The fact that the applicant is in jail for one year and the trial is still at the stage of framing of charge is not

disputed. There are no other criminal antecedents. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 120 of 2024 registered at N.R.I. Sagri Police Station, Navi Mumbai for the offences punishable under Sections 307, 326, 324, 143, 144, 147, 148, 149, 354, 323, 504, 506, 452 and 201 of the Indian Penal Code, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall not enter into the limits of District Thane and Raigad except to attend the dates before the trial Court, till conclusion of the trial.

D] The applicant shall not tamper with the prosecution evidence in any manner.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)