

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

CRIMINAL BAIL APPLICATION NO.2394 OF 2025

Kiran Bhagwant Thorat.

... Applicant.

Vs.

The State of Maharashtra

... Respondent.

Mr. Shubhangi Parulekar, Advocate for the Applicant.

Mr. T.G. Khan, APP for Respondent/State.

PSI S.N. Patil, Alephata Police Station, Pune Rural.

CORAM : ASHWIN D. BHOBE, J.

DATE : 20th JUNE, 2025

P.C. :

1. Heard Mr. Akash Kavade, learned Advocate for the Applicant and Mr. T.G. Khan, learned APP for State.
2. By the present Application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS"), the Applicant is seeking regular bail in Crime No. 1244 of 2022 registered with Kondhwa Police Station, Pune, for offences punishable under Section 302, 201 of the Indian Penal Code.
3. By order dated 11th June, 2024, this Court had granted liberty to the Applicant to move afresh after receipt of DNA report

or if there is no progress in the trial in near future from 11th June, 2024.

4. Ms. Parulekar, learned Advocate for the Applicant states that the report of DNA, is not received till date. She submits that there is no progress in the trial, as such the Applicant would be entitled to pray for bail on the ground of speedy trial, in terms of the liberty granted to the Applicant.

5. Mr. Khan, learned APP submits that the liberty granted to the Applicant is to be availed at the first instance before the learned trial Court, as it is for the learned Trial Court at the first instance to consider the said ground.

6. In view of the above, Ms. Parulekar, on instructions from the Applicant states that the Applicant be permitted withdraw the present Application with liberty to apply before the learned trial Court, in terms of the observations of this Court in its order dated 11th June, 2024, passed in Criminal Bail Application No.3788 of 2023. Leave granted.

7. Applicant is at liberty to file a fresh application for bail before the learned Trial Court. In the event of such an application is filed, the same shall be decided on its own merits and in

accordance with law. Considering the order dated 11th June, 2024 passed by this Court in Criminal Bail Application No.3788 of 2023, the learned Trial Court is requested to dispose off the said application expeditiously and at any rate within a period of six weeks from its filing.

8. Criminal Bail Application No. 2394 of 2025 is dismissed as withdrawn with liberty as prayed.

(ASHWIN D. BHOBE, J.)