



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

CRIMINAL BAIL APPLICATION NO.2565 OF 2025

Lakhan Bhaskar Waghmare

... Applicant.

Vs.

State Of Maharashtra

... Respondent.

Mr. Kuldeep Nikam a/w Prasad Avhad & Rohit Karanjawane for the Applicant.

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

CORAM : ASHWIN D.BHOBE, J.

DATE : 2nd JULY, 2025.

P.C. :

1. Heard Mr. Kuldeep Nikam, learned advocate for the Applicant and Mr. T. G. Khan, learned APP for the Respondent State.

2. By the present Bail Application, filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNNS), the Applicant is seeking bail in connection with Cr. No. 353/2022, registered with Paud Police Station, Pune for the offences punishable under Section 302, 364, 398, 201 r/w 34 of the Indian Penal Code, 1860. Said crime is registered as Sessions Case No. 392/2023 and is pending on the file of the Additional Sessions Judge, Pune.

3. Case of the prosecution is that the deceased had illicit

relations with the sister-in-law of the Accused No.1. Accused No.1 in conspiracy with the co-accused, kidnapped the deceased and murdered him.

4. There are three accused in the crime. Applicant is Accused No.3.

5. Datta @ Baba Chaturbhuj Shingare (Accused No.2) in the said crime was released on bail by this Court by order dated 28th April, 2025.

6. Mr. Kuldeep Nikam, learned advocate for the Applicant submits that the present Application for bail is restricted on the ground of parity. He relies on the order dated 28th April, 2025, passed in Criminal Bail Application No.3417/2023 filed by Datta @ Baba Chaturbhuj Shingare. He submits that the involvement of the Applicant and the Accused No. 2 in the said crime is similar and identical. He submits that this Court having granted bail to the Accused No. 2, the Applicant prays for bail on the ground of parity.

7. Mr. T. G. Khan, learned APP for the Respondent-State submits that the involvement of the Applicant and the Accused No. 2 in the said crime is similar and identical. He submits that as a matter of fact, the weapon used in the crime was recovered at the instance of

Accused No. 2, who has been released on bail. He submits that the case of the Applicant can be considered on the ground of parity.

8. I perused the records with the able assistance of the learned Advocates for the parties.

9. Perusal of the chargesheet reveals the role of the Applicant and the role assigned to the Accused No. 2 is similar and identical. This Court having considered the case of Accused No. 2 has released him on bail in Criminal Bail Application No.3417/2023. Applicant being similar placed like the Accused No. 2, is entitled to bail on the principle of parity.

10. Mr. Nikam, learned advocate for the Applicant on instructions of the Applicant submits that the Applicant shall not enter in Pimpri and Bhosri area till the conclusion of trial in Sessions Case No. 392/2023. Statement is accepted.

11. In view of the above, the present Bail Application is allowed on the following conditions:-

- (a) Applicant be released on bail in C.R.No. 353 of 2022 registered with Paud Police Station, Pune, on executing P.R.Bond of Rs. 30,000/- on furnishing one or two sureties of the like amount.

(b) Applicant shall not enter in Pimpri and Bhosri area till conclusion of the trial of Sessions Case No. 392/2023.

(c) Applicant shall attend the concerned police station as and when required and the Applicant shall regularly attend the dates fixed in Sessions Case No. 392/2023 before the Additional Sessions Judge, Pune, unless exempted.

(c) Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

12. The Bail Application No.2565 of 2025 is disposed off.

[ASHWIN D.BHOBE, J.]