

Nikita

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

BAIL APPLICATION NO.2750 OF 2025

Kalyani Gokul Sonawane ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Aniket Vagal for the Applicant.

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

CORAM : ASHWIN D. BHOBE, J.

DATED : 9th JULY, 2025

P.C.:

1. Heard Mr. Aniket Vagal learned Advocate for the Applicant and Mr. T. G. Khan, learned APP for the State.
2. By the present application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, Applicant is seeking bail in connection with C. R. No.59 of 2022 registered with Deola Police Station, Nashik for the offences punishable under Sections 302, 307, 143, 147 read with Section 149 of the Indian Penal Code, 1860. Said crime is now registered as Sessions Case No.266 of 2022 and the same is pending on the file of Additional Sessions Judge-5 Nashik. There are five Accused in the crime. Applicant is Accused No.4. All the Accused are the members of same family.
3. Case of the prosecution is that the Applicant was in relation with the deceased. Said relation was opposed by the Accused No.1.

In view of certain disputes, Accused assaulted the deceased which resulted in her death.

4. Applicant was arrested on 11.02.2022, since then she is in jail. Bail Application at Exhibit-16 filed by the Applicant in Sessions Case No.266 of 2022 was dismissed by the learned Additional Sessions Judge-5 Nashik on 07.06.2023.

5. Mr. Aniket Vagal learned Advocate for the Applicant, submits that the Applicant is seeking bail on the ground of long incarceration as also on the ground of parity. He submits that the Applicant is in jail for a continuous period of three years and five months. He submits that the except for framing of charge, as on 29.08.2022, not a single witnesses has been examined. He submits that the prosecution has enlisted 26 witnesses. He submits that the trial will take considerable time in concluding. He submits that the Applicant has no criminal antecedents.

6. Mr. T. G. Khan, learned APP for the State, submits that the charges were framed in the month of August 2022 and till date no witnesses have been examined in Sessions Case No.266 of 2022.

7. I have perused the record with the able assistance of learned Advocates for the parties.

8. Speedy trial is one of the facets of right to life and liberty guaranteed under Article 21 of the Constitution of India. Speedy trial is an essential ingredient of "reasonable, fair and just" procedure guaranteed by Article 21 and it is the constitutional obligation of the State to device such a procedure as would ensure

speedy trial to the Accused¹. If the Applicant's detention continues, it will amount to an infringement of her fundamental right under Article 21 of the Constitution of India of speedy trial. Therefore, the Applicant is entitled for bail.

9. Accused Nos. 1, 3 and 5 have been released on bail by this Court (orders are from Page No.187 to 211 of the paper book). Accused No.2 has been released on bail by the learned Additional Sessions Judge Nashik (order is at page No.212 of the paper book).

10. It is on the ground of long incarceration of the Applicant and no progress in the trial, that this Court is constrained to consider the present bail applicant.

11. 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 C. R. No.59 of 2022 registered with Deola Police Station, Nashik on her furnishing PR bond in the sum of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of Additional Sessions Judge, 5, Nashik.
- b) Applicant shall attend and regularly appear before the Additional Sessions Judge, 5, Nashik in Special Case No.266 of 2022 on each date of hearing, unless specifically exempted by the Court.
- c) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with

¹ Hussainara Khatoon (IV) v. Home Secy., State of Bihar, (1980) 1 SCC 98

facts of the case so as to dissuade him from disclosing the facts to the Court or any police officer and shall not tamper with evidence.

d) Applicant upon her release, within 3 days shall furnish to the Investigation Officer, Deola Police Station, Nashik her residential address with proof and the contact number and to keep the Investigation Officer intimated about the change in the same from time to time.

e) Applicant shall surrender her passport, if any, to Investigation Officer within three days of her release.

12. The Bail Application No.2750 of 2025 is allowed in the above said terms.

(ASHWIN D. BHOBE. J.)