

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

CRIMINAL BAIL APPLICATION NO.2899 OF 2025

HARISH
VITHAL
CHAUDHARI

Siddhesh Rajendra Pasalkar
Vs.
State Of Maharashtra

... Applicant.

... Respondent.

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Adv. Suyash N. Khose (thr. V. C) a/w Siddharth N. Sutaria & Abhijit
Aher for the Applicant.
Mr. P. H. Gaikwad, APP for the Respondent-State.

CORAM : ASHWIN D.BHOBE, J.

DATE : 13th August, 2025.

P.C. :

1. Heard Mr. Suyash N. Khose, learned Advocate for the Applicant and Mr. P. H. Gaikwad, learned APP for the Respondent-State.

2. By the present Application, the Applicant is seeking bail in Cr. No.210/2024 registered at Haveli Police Station, punishable under Sections 103(1), 189(2)(4)(9), 191(2)(3), 190, 352, 351(2)(3) (4) of Bharatiya Nyaya Sanhita, 2023 and under Section 3(25)(4)(25) of the Arms Act along with Section 135 of Maharashtra Police Act.

3. Mr. Suyash Khose, learned Advocate for the Applicant submits that Cr. No. 210/2024 is registered as Sessions Case No.

317/2025 and is pending before the Court of the Additional Sessions Judge, Pune.

4. There are 16 Accused in the present crime. Applicant is Accused No.4.

5. Case of the prosecution is that the accused persons in the crime, formed an unlawful assembly with a common object. Munna Darwatkar (Accused No. 1) fired the rifle in air and created law and order situation. Other accused in the crime assaulted Rohit @ Bhorya Dharmendra Dhhile (deceased) who succumbed to the injuries cause in the said assault.

6. Applicant was arrested on 15th September, 2024. Cri. Bail Application No. 7147 of 2024 filed by the Applicant was rejected by the Additional Sessions Judge, Pune by order dated 18th January, 2025.

7. Mr. Suyash Khose, learned Advocate for the Applicant submits that the Applicant is seeking bail on the ground of parity. He submits that the involvement of the Applicant in the said crime is identical and similar to the involvement of Swapnil Sitaram Chavan (Accused No.5) in the said crime. He submits that there is absolutely no difference with reference to the allegations against Accused No. 5

and the present Applicant. He submits that Accused No. 5 is released on bail by the Additional Sessions Judge, Pune by order dated 8th January, 2025 (page Nos. 231 to 233 of the paper book). He therefore submits that the Applicant would be entitled to bail on the ground of parity.

8. Mr. Gaikwad, learned APP for the Respondent-State submits that the Applicant as well as the Swapnil Sitaram Chavan are named in the FIR. He submits that the statements recorded by the Investigating Officer reveals that the Applicant and the Swapnil Sitaram Chavan have participated in the said crime.

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

10. Records reveals that the role assigned to the Applicant and the role assigned to Swapnil Sitaram Chavan (Accused No. 5) in the said crime is similar and identical. Mr. Suyash Khose, learned Advocate for the Applicant in support of his contention of parity, points out to page No. 20 wherein, the involvement of the Applicant and the involvement of the Accused No.5 is referred to. Perusal of the said statement, indicates that the Applicant is identically placed in the crime as is the Accused No. 5. In such circumstances, Mr. Suyash

Khose learned Advocate for the Applicant would be justified in praying for bail on the ground of parity.

11. Mr. Gaikwad, learned APP for the Respondent-State submits that in the event, indulgence is shown to the Applicant, then stringent conditions including a condition that the Applicant should not enter in the jurisdiction of Haveli Police Station, Pune till the conclusion of trial be imposed.

12. Mr. Suyash Khose, learned Advocate for the Applicant on instructions from the Applicant states that the Applicant shall not enter in the jurisdiction of Haveli Police Station, Pune till the conclusion of trial in Sessions Case No. 317/2025. Statement is accepted.

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

(a) Applicant be released on bail in Cr.No.210 of 2024 registered with Haveli Police Station, Pune upon furnishing P. R. Bond of Rs. 25,000/- with one or two sureties in the like amount, to the satisfaction of the Additional Sessions Judge, Pune.

(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 any Police Officer and shall not tamper with evidence.

(c) Applicant upon release within 3 days shall furnish his residential address with proof and contact details to the Investigating Officer, Haveli Police Station Pune.

(d) Applicant shall co-operate in the conduct of the trial and shall regularly attend the hearing of Sessions Case No. 317 of 2025, pending on the file of Additional Sessions Judge, Pune unless exempted.

(e) Applicant shall not enter the territorial jurisdiction of Haveli Police Station, Pune till the conclusion of trial in Sessions Case No. 317 of 2025.

14. Criminal Bail Application No. 2899 of 2025 is allowed in the above said terms.

[ASHWIN D.BHOBE, J.]