

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3097 OF 2025

Ankush Kadayappa Khandekar

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Ramanik Pawar (Through VC) i/b Mr. Rahul H. Gupta a/w Ms. Samiksha Pawar, Mr. Sameer Shaikh, Ms. Trupti Jambulkar, Mr. Samadhan Jambulkar, Ms. Dhanashree Jagdale, Mr. Shivtej Takalkar and Mr. Raju Patil, learned Advocates for the Applicant.

Mr. Amit A. Palkar, learned A.P.P. for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.

DATE : 6th AUGUST 2025.

P.C. :

1. Heard Mr. Ramanik Pawar, learned Advocate for the Applicant and Mr. Amit Palkar, learned A.P.P. for the State/Respondent.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**” for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 1184 of 2022 registered with Sangola Police Station, Sangola, District-Solapur for the offences punishable under Sections 302, 307, 341, 324, 143, 147, 148, 427, 504, 506 and 149 of the Indian Penal Code, 1860 (“**IPC**” for short), Section 4 and 25 of the Indian Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951.

3. Mr. Ramanik Pawar, learned Advocate for the Applicant submits that the abovesaid crime is registered as Sessions Case No. 32 of 2023 and is pending on the file of District Judge, Pandharpur.

4. There are 5 accused persons in the present crime. Applicant is Accused No. 3.

5. Applicant was arrested on 19th October 2022, since then he is in jail. Criminal Bail Application at Exhibit-27 filed by the Applicant in Sessions Case No. 32 of 2023, was rejected by the learned Sessions Judge, Pandharpur by order dated 16th July 2025.

6. Mr. Ramanik Pawar, learned Advocate for the Applicant submits that the Applicant is seeking bail on the sole ground of parity. He submits that Raju @ Tatoba Mutyappa Khandekar (Accused No. 2) in the present crime, has been released on bail on merits. He submits that the involvement of Applicant in the present crime is similar and identical to the involvement of Accused No. 2. He relies on the order dated 24th April 2025 passed by this Court in Criminal Bail Application No. 5040 of 2024 (page nos. 534 to 538 of the paper-book). He therefore seeks bail on the ground of parity.

7. Mr. Amit Palkar, learned A.P.P. for the State/Respondent submits that the observations made by this Court in its order dated 24th April 2025 passed in Criminal Bail Application No. 5040 of 2024 will be applicable to the case of Applicant. He submits that the involvement of the Applicant being similar to the involvement of Accused No. 2, who is released on bail, case of Applicant can be considered on the ground of parity.

8. I have perused the records, more particularly the charge-sheet and the order dated 24th April 2025 passed in Criminal Bail Application No. 5040 of 2024, with the assistance of learned Advocates of the parties.

9. As submitted by Mr. Amit Palkar, learned A.P.P. for the State/Respondent, the observations recorded by this Court in its order dated 24th April 2025, would apply to the case of Applicant. This Court having released Accused No. 2 on bail, for the reasons recorded in paragraph no. 3 of the said order dated 24th April 2025, the said reasons would be applicable to the case of Applicant.

10. As Mr. Ramanik Pawar, learned Advocate for the Applicant and Mr. Amit Palkar, learned A.P.P. for the State/Respondent both submit that the involvement of Applicant in the present crime is similar and identical to the involvement of Accused No. 2. In such circumstances, the Applicant is entitled to bail on the ground of parity.

11. Mr. Ramanik Pawar, learned Advocate submits that if indulgence is shown to the Applicant in the present Bail Application, then he has instructions from the Applicant to state that pending the conclusion of trial in Sessions Case No. 32 of 2023, the Applicant shall not enter the territorial jurisdiction of Taluka-Sangola, District-Solapur. Statement accepted.

12. In view of the above, the present Bail Application is allowed on the following conditions as referred to in the order dated 24th April 2025 :-

- a. Applicant Ankush Kadayappa Khandekar is directed to be released on bail in connection with Crime No. 1184 of 2022 registered with Sangola Police Station, Sangola, District-Solapur for the offences punishable under Sections 302, 307, 341, 324, 143, 147, 148, 427, 504, 506 and 149 of the IPC, Section 4 and 25 of the Indian Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951 on executing P.R. Bond in the sum of Rs. 1,00,000/- (Rupees One Lakh Only) with one or two solvent sureties in the like amount to the satisfaction of the District Judge, Pandharpur.
- b. On being released on bail, Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- c. Applicant shall not enter the Taluka-Sangola, District-Solapur after being released on bail, except for reporting to the Investigating Officer, if called, and for attending the trial.
- d. Applicant shall report to the Dehu Road Police Station, Pune once a week on every Sunday between 11.00 a.m. and 1.00 p.m. till the conclusion of the trial. The Police Inspector of Dehu Road Police Station, Pune to communicate details thereof to the Investigating Officer.
- e. 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 to any Police personnel.

f. Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

g. Applicant shall attend the trial regularly. Applicant shall co-operate with the Trial Court and shall not seek unnecessary adjournments thereat.

h. Applicant shall surrender his passport, if any, to the Investigating Officer.

13. Criminal Bail Application No. 3097 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

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by GITALAXMI
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2025.08.18
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