

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

CRIMINAL BAIL APPLICATION NO. 3098 OF 2025

Dipak Shivaji Wandhekar

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Vaibhav Kulkarni a/w Mr. Abhishekh Jare, Mr. Prathamesh Deshpande, Mr. Yash Agarwal and Ms. Disha Rathod, 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. Vaibhav Kulkarni, 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. 434 of 2020 registered with Shivaji Nagar Police Station, Pune City for the offences punishable under Section 302, 364, 365, 201 and 120(B) of the Indian Penal Code, 1860 (“**IPC**” for short).

3. Mr. Vaibhav Kulkarni, learned Advocate for the Applicant submits that the abovesaid crime is registered as Sessions Case No.

51 of 2021 and is pending on the file of Additional Sessions Judge, Pune.

4. There are 4 accused persons in the present crime. Applicant is Accused No. 2.

5. Applicant was arrested on 18th October 2020, since then he is in jail. Criminal Bail Application at Exhibit-46 filed by the Applicant in Sessions Case No. 51 of 2021, was rejected by the learned Additional Sessions Judge, Pune by order dated 9th July 2025.

6. Mr. Vaibhav Kulkarni, learned Advocate for the Applicant submits that the Applicant is seeking bail on the ground of parity. He submits that all other accused persons, who are placed in an identical situation like the Applicant, are released on bail. He submits that Accused No. 1 in the present crime was released on bail by this Court by order dated 14th January 2025 passed in Criminal Bail Application No. 4012 of 2023 (page nos. 568 to 571 of the paper-book). He submits that Accused No. 3 in the present crime has been released on bail by the Hon'ble Supreme Court by its order dated 20th August 2024 (page nos. 561 and 562 of the paper-book) and Accused No. 4 in the present crime has been released on bail by this Court by order dated 11th December 2024 passed in Criminal Bail Application No. 3737 of 2024 (page nos. 565 to 567 of the paper-book). He submits that the involvement and the situation the Applicant was placed, being similar and identical to other accused persons in the said crime, the Applicant is entitled to bail on the ground of parity.

7. Mr. Amit Palkar, learned A.P.P. for the State/Respondent does not dispute the role and involvement of the Applicant in the present crime being similar and identical to the role assigned to Accused Nos. 1, 3 and 4. He submits that considering the orders passed by the Hon'ble Supreme Court and this Court, the Applicant would be entitled to bail on the ground of parity.

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

9. Perusal of the records and considering the statements made by Mr. Vaibhav Kulkarni, learned Advocate for the Applicant as well as Mr. Amit Palkar, learned A.P.P. for the State/Respondent that the involvement of the Applicant in the present crime is similar and identical to that of Accused Nos. 1, 3 and 4, the Applicant is entitled to bail on the principle of parity.

10. 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 Crime No. 434 of 2020 registered with Shivaji Nagar Police Station, Pune City for the offences punishable under Section 302, 364, 365, 201 and 120(B) of the IPC on executing P.R. Bond in the sum of Rs. 25,000/- (Rupees Twenty-five Thousand Only) with one or two solvent sureties in the like amount to the satisfaction of the Additional Sessions Judge, Pune.
- b. Applicant shall attend the said Police Station on 1st day

of every month between 10.00 a.m. to 11.00 a.m., till the conclusion of the trial except on the date of trial.

- c. Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence.
- d. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.
- e. Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.

11. Criminal Bail Application No. 3098 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

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by GITALAXMI
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2025.08.07
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