

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

Criminal Bail Application No.3375 of 2025

Sandeep Bhagwan Hande

Age : 28, Occ: Nil,

R/at: Post- Pimperkheda,

Post Walunj, Tal-Gangapur,

Dist- Aurangabad.

(At present Yerwada Central
Prison, Pune)

... Applicant

Versus

The State of Maharashtra

(At the instance of RCF Police

Station in CR No.214 of 2021)

...Respondent

Mr Vipul V Dushing a/w Mr Ajay Gawali a/w Mr Anvay Pawar,
for the Applicant.

Mr S S Pednekar, APP, for Respondent / State.

API Amol Dinkar Dhas, Chaturshrungi Police Station, Pune
City.

Coram: R.N. Laddha, J.

Date: 12 November 2025

P.C.:

The learned Counsel appearing on behalf of the applicant
seeks leave to amend the prayer clause. Leave granted as prayed
for. The amendment shall be carried out forthwith.

2. By this application, the applicant seeks bail in connection with CR No.214 of 2021, registered at Chaturshrungi Police Station, Pune, for offences punishable under Sections 397, 342, 452, 392 and 506(2) read with 34 of the Indian Penal Code, Section 4(25) of the Arms Act, 1959, and Section 37(1) read with 135 of the Maharashtra Police Act, 1951.

3. The prosecution case, as emerging from the First Information Report (FIR) lodged by the informant on 26 April 2021, is that on 25 April 2021, at about 8:30 p.m., three unknown male persons unlawfully entered her residence. The intruders gained access through the kitchen area, where they overpowered and threatened the household cook, Kiran Limbu, at knifepoint. Thereafter, they compelled him to accompany them to the first floor, where the informant and her husband were present. Upon confronting the informant and her husband, the assailants brandished knives, threatened both of them with death, and demanded money. Under duress, the informant handed over a purse containing Rs.2,000/-, but the assailants continued to demand more valuables. They compelled her to unlock a cupboard from which they looted cash, U.S. Dollars, and gold and diamond-studded jewellery collectively valued at approximately Rs.15,80,000/-. Before leaving, the accused persons locked the informant, her

husband, and the cook inside the bathroom, threatening to kill them if they informed the police, and took a photograph of them on a mobile phone. The informant subsequently lodged the present crime after her son and daughter arrived, and the loss was assessed.

4. Mr Vipul Dushing, the learned Counsel appearing on behalf of the applicant, asserting the applicant's innocence, contends that the applicant has been falsely implicated in the crime. It is submitted that the FIR was initially lodged against unknown individuals, with no specific role ascribed to any particular person. The allegations levelled against the applicant are general, vague, and lacking in substantive detail, and to date, no Test Identification Parade (TI Parade) has been conducted. The learned Counsel further points out that the co-accused, having a similar role to that of the applicant, have already been released on bail. It is thus argued that the principle of parity squarely applies to the applicant. Furthermore, the applicant has been in jail since 29 April 2021, and with the investigation concluded and the charge sheet filed, the applicant's continued incarceration would not serve any purpose. Mr Dushing further submits that the applicant undertakes to scrupulously abide by any terms and conditions that may be imposed by this Court, including a direction to

remain outside the territorial jurisdiction of the Pune district until the conclusion of the trial, and undertakes not to seek relaxation of such conditions.

5. Mr SS Pednekar, the learned Additional Public Prosecutor representing the respondent/ State, strongly opposes the applicant's plea for bail. He submits that the stolen property, which holds significant value, was recovered based on information provided by the applicant, indicating his direct involvement in the crime. It is also pointed out that the applicant has criminal antecedents of a similar nature. However, the learned APP fairly concedes that no TI Parade has been conducted. Emphasising the seriousness of the offence, he expresses concern regarding granting bail to the applicant as he may tamper with the evidence or influence witnesses.

6. This Court has given anxious consideration to the rival contentions canvassed across the Bar and perused the records.

7. Upon perusing the records, it appears that the FIR has been lodged against unknown persons. No TI Parade has been conducted. It is further discernible from the material on record that the co-accused, who stand on an identical footing as the present applicant in terms of the nature and gravity of allegations, have already been granted bail. The investigation

into the matter has since been concluded, and a charge sheet has been duly filed. However, despite the filing of the charge sheet, the framing of charges is still pending. The applicant has been languishing in jail since 29 April 2021 without any progress in the trial proceedings. The prosecution has proposed to examine as many as twenty witnesses, which reasonably suggests that the trial is likely to be protracted and may not conclude in the near future. The apprehensions expressed by the prosecution regarding the possibility of the applicant tampering with evidence or influencing witnesses can be addressed by imposing appropriate conditions. In this regard, the learned Counsel for the applicant, on instructions, has submitted before this Court that the applicant is willing to abide by any condition that may be imposed, including an undertaking not to enter the territorial jurisdiction of Pune district until the conclusion of the trial. It is further submitted that the applicant shall not seek any relaxation of the said condition at any subsequent stage.

8. In view of the totality of the circumstances, including the prolonged incarceration of the applicant, the parity with the co-accused who have been granted bail, the absence of a TI Parade, the stage of the proceedings, and the undertaking of the applicant, this Court finds it appropriate to grant bail to the

applicant, subject to appropriate conditions to ensure the fair conduct of the trial. Accordingly, the following order is passed:

ORDER

- (i) The applicant shall be released on bail in CR No.214 of 2021, registered at Chaturshrungi Police Station, Pune, upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.
- (ii) The applicant, himself or through any other person, shall not tamper with the evidence or influence witnesses.
- (iii) The applicant shall not enter the territorial jurisdiction of the Pune district until the conclusion of the trial, save and except to attend the trial proceedings.
- (iv) The applicant shall furnish his residential and contact details to the Inspector of the concerned Police Station and shall notify the said officer forthwith of any changes therein.
- (v) The applicant shall regularly attend the trial proceedings before the jurisdictional Court for the expeditious

disposal of the case.

(vi) The applicant shall not indulge in any criminal activity or commit any offence during the subsistence of bail, and any breach of this condition shall entail cancellation of bail.

9. The application stands disposed of accordingly.

[R.N. Laddha, J.]