

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

CRIMINAL BAIL APPLICATION NO. 3380 OF 2025

Kiran Ganesh Dhende ... Applicant
Vs.
The State of Maharashtra ... Respondent

Mr. Bhushan Raut a/w Mr. Vipul Patil and Mr. Vaibhav Lavande,
Advocate for the Applicant.
Ms. M. H. Mhatre, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.
DATE : 2nd SEPTEMBER, 2025.

P.C. :

1. Heard Mr. Bhushan Raut, learned Advocate for the Applicant and Ms. M. H. Mhatre, learned APP for the State.

2. By the present Application, Applicant is seeking bail in Crime No. 549 of 2018 registered with Chatushrungi Police Station, Pune for the offences punishable under Sections 302, 120-B, 143, 144, 147, 148, 149 of the Indian Penal Code and Section 4(25) of the Arms Act and Section 37(1)/135 of the Maharashtra Police Act. Said crime is registered as Sessions Case No.295 of 2019 and is pending before the Court of the Additional Sessions Judge, Pune.

3. There are 12 Accused in the present crime. Applicant is Accused No.5.

4. Applicant was arrested on 5th November, 2018. Bail Application at Exhibit-427 in Sessions Case No.295 of 2019 was rejected

by the Additional Sessions Judge, Pune by order dated 19th July, 2025.

5. Mr. Bhushan Raut, learned Advocate for the Applicant, submits that the Applicant is seeking bail on the sole ground of Applicants long incarceration. He submits that the Applicant is in jail for a continuous period from 5th November, 2018. He submits that the trial of Sessions Case No.295 of 2019 is proceeding at a snail's pace. He submits that out of the 51 listed prosecution witnesses only 5 witnesses have been examined till date. He submits that there is no possibility of the trial concluding in the near future. He submits that Pratik Sunil Kadam (Accused No.2) in the said crime has been released on bail by this Court vide order dated 24th March, 2025 passed in Criminal Bail Application No. 4196 of 2024 on the ground of long incarceration.

6. Ms. M. H. Mhatre, learned APP for the State does not dispute the fact of the Applicant being in jail from the year 2018 and Accused No.2 in the present crime being released on bail on the ground of long incarceration. She submits that the prosecution has listed witnesses.

7. Perused the record with the assistance of the learned Advocates for the parties.

8. Applicant is in jail from 5th November, 2018. Out of the 51 witnesses prosecution has examined only 5 witnesses as on date. Accused No.2 has been released on bail by this Court on the ground of prolonged incarceration of the Applicant of Accused No.2 (order at Page 603 of the paper book).

9. In view of the above, Mr. Bhushan Raut, learned Advocate for

the Applicant would be justified in pressing the right of the Applicant of denial of speedy trial. Applicant cannot continue to be incarcerated as an under trial indefinitely. It is on the sole ground of prolonged incarceration of the Applicant, that this Court is compelled to enlarge the Applicant on bail.

10. Bail Application is allowed on the following terms:-

(a) Applicant is directed to be released on bail in connection with Crime No. 549 of 2018, registered with Chatushrungi Police Station, Pune, upon furnishing PR. Bond in the sum of Rs.25, 000/-each with one or two local sureties each 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 facts of the case so as to dissuade such person from disclosing the facts to the Court or any police officer and should not tamper with evidence.

(c) Applicant upon release, within 3 days shall furnish to the Investigating Officer, Chatushrungi Police Station, Pune, his residential addresses with proof and the contact numbers and to keep the Investigation Officer intimated about the change in the same from time to time.

(d) Applicant shall attend the trial in Sessions Case No. 295 of 2019 pending before the Trial Court regularly on every

date unless exempted by the Trial Court.

(e) Applicant shall report to the Investigation Officer, Chatushrungi Police Station, Pune on the first Saturday of each month from 3.00 p.m. to 5.00 p.m., till the conclusion of trial in Sessions Case No.295 of 2019.

11. Criminal Bail Application No. 3380 of 2025 is allowed in the above said terms.

(ASHWIN D. BHOBE, J.)