

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

Bail Application No. 3737 of 2025

Rohan Shivaji Gaware
Age 29 years, Occ. Service,
R/o. Lane No.5, North Main
Road, Kawade Wadi, Shital
Apartment, Koregaon Park,
Pune – 411 001.

... Applicant

Versus

The State of Maharashtra
Through Police Station Officer,
Lashkar Police Station, Pune City.

...Respondent

Mr Shubham Wadne, for the Applicant.
Mr S V Walve, APP, for Respondent / State.
API Vishal Dardage, Lashkar Police Station, Pune City, is
present.

Coram: R.N. Laddha, J.
Date: 29 September 2025

P.C.:

Heard Mr Shubham Wadne, learned Counsel appearing
on behalf of the applicant, and Mr S V Walve, learned
Additional Public Prosecutor representing the respondent/
State.

2. By this application, the applicant seeks bail in connection

with CR No.144 of 2025, registered at Lashkar Police Station, Pune, for offences punishable under Sections 308(3)(4), 352, 351(3)(4) and 61 of the Bharatiya Nyaya Sanhita, 2023.

3. The learned Counsel appearing on behalf of the applicant has vehemently contended that the applicant is innocent and has been falsely implicated in the present case. It is submitted that the applicant has no nexus whatsoever with the incidents alleged to have transpired on 28 July 2025, 4 August 2025, and 9 August 2025. The prosecution has neither attributed any specific role to the applicant in respect of those dates nor placed on record any material to suggest that the applicant demanded any monetary consideration from the informant on the said occasions. It is further submitted that the only allegation levelled against the applicant pertains to an alleged demand for money on 11 August 2025. However, even in respect of this solitary instance, the prosecution has failed to produce any incriminating material or independent corroboration that would implicate the applicant in the commission of the alleged offence. The learned Counsel drawn attention to the fact that the applicant was apprehended on 12 August 2025, and the investigation has substantially concluded, with the charge sheet yet to be filed.

4. It is argued that the continued incarceration of the applicant pending trial would be unjustified and disproportionate, particularly in the absence of any recovery or discovery of incriminating articles either from the applicant or at his instance. The learned Counsel has also placed reliance on the fact that co-accused Krishna Budhnar and Mahendra Shelke have already been enlarged on bail by this Court, and the applicant stands on similar footing.

5. On the other hand, the learned Additional Public Prosecutor representing the respondent/ State has opposed the bail application, submitting that the offence alleged is of a grave and serious nature. It is contended that the applicant demanded money from the informant and issued threats of dire consequences. On instructions, the learned APP has submitted that the investigation is complete, and the charge sheet will be filed within a week. However, apprehensions have been expressed regarding the possibility of the applicant tampering with evidence or exerting undue influence upon witnesses in the event of his release on bail.

6. Upon a careful perusal of the records and the submissions advanced, it *prima facie* appears that the applicant, along with the co-accused, stands charged with offences pertaining to extortion and criminal intimidation, allegedly committed in the

presence of accused No.1 at a hotel. However, beyond the substantiated assertions of the prosecution, there is no cogent or independent material on record that would *prima facie* establish the applicant's direct involvement in the alleged criminal acts. As per the prosecution's own submission, the investigation is complete with the filing of the charge sheet shortly. In view thereof, the likelihood of the applicant interfering with the investigative machinery appears remote. It is further seen that no recovery or discovery remains pending at the instance of the applicant. While the prosecution has raised concerns regarding potential tampering of evidence or influencing of witnesses, such apprehensions can be effectively addressed by imposing appropriate conditions upon the applicant's release.

7. In light of the foregoing considerations, and taking into account the parity with the co-accused who have already been granted bail, this Court is of the view that the applicant is entitled to be released on bail. Accordingly, the following order is passed :

ORDER

- (i) The applicant shall be released on bail in CR No.144 of 2025, registered at Lashkar

Police Station, Pune, upon furnishing a PR Bond of Rs.25,000/- with one or more sureties in the like amount.

(ii) The applicant shall attend the concerned Police Station as and when required by the investigating officer.

(iii) The applicant, himself or through any other person, shall not indulge in any activities that may tamper with the evidence or exert influence over witnesses.

(iv) The applicant shall regularly attend and cooperate with the jurisdictional Court for the expeditious disposal of the case.

8. The application stands disposed of accordingly.

(R.N. Laddha, J.)