

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

Bail Application No. 3986 of 2025

Sanket @ Sonya Ankush Dhude

Age 22 years, Occupation – Private Job,

R/at: Dehu Phata, Behind Vaishnavai

Washing Center, Tal: Maval, Dist:Pune.

(Presently lodged at Pune Jail)

... Applicant

versus

The State of Maharashtra

(At the instance of the Sr.P.I.,

Talegaon MIDC Police Station, Pune)

...Respondent

Mr Kuldeep Nikam a/w Ms Nishi Singhvi, for the Applicant.

Mr S V Walve, APP, for Respondent / State.

Coram: R.N. Laddha, J.

Date: 17 October 2025

P.C.:

By this application, the applicant seeks bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with CR No.70 of 2016, registered at Talegaon MIDC Police Station, Pune, for offences punishable under Sections 395 of the Indian Penal Code and Sections 3(1), 25 of the Indian Arms Act 1959.

2. The case of the prosecution, as emerging from the First Information Report, is that on 4th September 2016 at about

20:15 hours, the informant was en route to Mumbai and had momentarily halted his vehicle on the roadside. At that juncture, the present applicant, accompanied by a co-accused, arrived at the location on a motorcycle. Both individuals dismounted, whereupon the co-accused brandished a country-made firearm and issued a threat to the informant, warning him of dire consequences should he raise an alarm. The said co-accused then commenced a physical search of the informant's person. Simultaneously, another motorcycle carrying three additional co-accused arrived at the scene. These individuals purportedly threatened the informant with a sickle and subjected him to physical assault by way of fists and blows. In the course of this incident, one of the co-accused has forcibly taken possession of the informant's wallet, which contained a sum of ₹15,000/- in cash. Shortly thereafter, a police patrolling vehicle reached the spot, prompting all the accused persons to attempt to flee. The informant, in an effort to prevent their escape, kicked the applicant's motorcycle, causing it to fall. Consequently, the applicant and his associates fled into the nearby bushes. One of the co-accused was apprehended by the police at the scene and is stated to have identified the applicant and the other co-accused as participants in the alleged offence.

3. Mr Kuldeep Nikam, the learned Advocate appearing on

behalf of the applicant, has submitted that the applicant is innocent and has been falsely implicated in the present matter. It is contended that there is no recovery of any incriminating article at the instance of the applicant. Furthermore, no Test Identification Parade (TIP) has been conducted with respect to the applicant. The learned Counsel has further urged that the applicant be released on bail on the ground of parity, as one of the co-accused, who was apprehended at the spot and against whom graver allegations are levelled, has already been enlarged on bail. It is further submitted that although the applicant has criminal antecedents, he has been acquitted in all such prior cases. The learned Counsel has also pointed out that the investigation in the present case stands concluded and the charge sheet has been filed, and there is no further requirement of custodial interrogation or recovery from the applicant. It is further submitted that the applicant has been languishing in jail for more than seven and a half years, and to date, not a single witness has been examined by the prosecution. The applicant is willing to abide by any conditions that may be imposed by this Court, including an undertaking not to enter the territorial jurisdiction of Pune District for a specified period.

4. On the other hand, Mr SV Walve, the learned Additional Public Prosecutor appearing for the respondent/State, has

opposed the prayer for bail. It is submitted that the offence in question is of a grave and serious nature. The applicant has a history of criminal antecedents and is allegedly involved in unlawful activities within the Pune District. It is further submitted that there exists prima facie material on record sufficient to implicate the applicant in the commission of the present offence.

5. This Court has given its anxious consideration to the rival submissions advanced by the learned Counsel for the applicant and the learned APP for the State. Upon a careful perusal of the material placed on record, it is seen that one of the co-accused, who was allegedly apprehended at the scene of the offence, has already been granted bail. It further appears from the record that there is no recovery effected from the present applicant, nor has any Test Identification Parade been conducted in his respect. The applicant has remained in custody for a period exceeding seven and a half years, and despite the lapse of such a considerable duration, the prosecution has not examined a single witness. Although the applicant has criminal antecedents, it is not disputed that he has been acquitted in all such prior cases. Additionally, the learned Counsel for the applicant, on instructions, has undertaken that the applicant shall not enter the limits of Pune District for a period of one year.

6. In view of the totality of the circumstances, including the prolonged incarceration of the applicant, the absence of recovery, the lack of TIP proceedings, and the principle of parity with the co-accused who has already been granted bail, this Court is of the opinion that a case for the grant of bail is made out. Accordingly, the following order is passed:

Order

(i) The applicant shall be released on bail, in CR No.70 of 2016, registered at Talegaon MIDC 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 jurisdiction of the Pune District for a period of one year.

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

7. The application stands disposed of accordingly.

[R.N. Laddha, J.]