

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1552 OF 2025
IN
CRIMINAL BAIL APPLICATION NO. 1861 OF 2024

Sachin Govind Walke

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Aditya Parmar a/w Ms. Aisha Khan i/b Mr. Subhash Hulyalkar,
learned Advocates for the Applicant.

Mr. Amit A. Palkar, learned A.P.P. for the State/Respondent.

Mr. Siddharth Jagushte, learned Advocate for the First Informant.

CORAM : ASHWIN D. BHOBE, J.

DATE : 13th JUNE 2025.

P.C. :

1. Heard Mr. Aditya Parmar, learned Advocate for the Applicant, Mr. Siddharth Jagushte, learned Advocate for the First Informant and Mr. Amit Palkar, learned A.P.P. for the State/Respondent.

2. By order dated 2nd September 2024 passed in Criminal Bail Application No. 1861 of 2024, the Applicant was released on bail in connection with Crime No. 325 of 2021 registered with Chatushrungi Police Station, Pune for the offences punishable under Sections 307, 386, 341, 201, 204, 206, 120(B), 506(2), 141, 143, 147, 148 and 149 of the Indian Penal Code, 1860 read with Section 39 of the Maharashtra Money Lending (Regulation) Act read with Sections 3 and 25 of the Arms Act read with Sections

37(1) read with Section 135 of the Maharashtra Police Act and Sections 3(1)(ii), 3(2), 3(3), 3(4), 3(5) and 4 of the Maharashtra Control of Organised Crime Act, 1999 (“MCOCA” for short).

3. By the present Application, the Applicant has made the following prayer :-

“(a) That this Hon’ble Court may be pleased to relax the Applicant from Condition Nos. (iii) and (iv) imposed upon him vide order dated 2nd September 2024 passed by this Hon’ble Court in Criminal Bail Application No. 1861 of 2024.”

4. Bail Condition Nos. 3 and 4 of the order dated 2nd September 2024 of Criminal Bail Application No. 1861 of 2024 read as follows :-

“(iii) The Applicant shall not enter into territorial jurisdiction of Pune District till conclusion of trial, except for attending trial.

(iv) The Applicant shall provide his address and name of nearby Police Station to the Investigating Officer and attend said Police Station on 1st and 16th day of every month between 10.00 a.m. and 12.00 noon till conclusion of trial.”

5. Mr. Aditya Parmar, learned Advocate for the Applicant submits that the modification is sought on the ground that the parents of Applicant are ailing and the Applicant desires to reside

with them. He submits that three other co-accused in the said crime, who were also released on bail by imposing the condition with regards to entering the jurisdiction of Pune District, have been relaxed by this Court. He, therefore, seeks parity.

6. Mr. Amit Palkar, learned A.P.P. for the State/Respondent submits that the offences involved in the crime are serious in nature and also include offences under MCOCA. He submits that there is serious threat and issues relating to law and order situation, in the event the Applicant is permitted to enter the territorial jurisdiction of Pune District. He submits that this Court by its order dated 2nd September 2024 has consciously imposed the said conditions considering the offences involved. He, therefore, submits that no case is made out by the Applicant to grant relaxation.

7. Mr. Siddharth Jagushte, learned Advocate for the First Informant submits that the order dated 2nd September 2024 is questioned by him before the Hon'ble Supreme Court and it is pending adjudication. He submits that he has serious threats from the Applicant herein. He submits that in another crime bearing No. 271 of 2021 registered with Sangvi Police Station, Pune, the Applicant was arrested and he has been enlarged on bail. He submits that one of the bail conditions in the order of said crime is that the Applicant should not enter the limits of Pune and Raigad District. He tenders a copy of the order dated 7th April 2025 passed by this Court in Criminal Bail Application No. 636 of 2025, same is taken on record and marked as "X" for identification. He submits that the Applicant having secured bail on conditions imposed in the

order dated 2nd September 2024, cannot now seek relaxation.

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

9. Order dated 2nd September 2024 passed in Criminal Bail Application No. 1861 of 2024 at Paragraph No. 8 records as under :-

“8. At this stage, learned Counsel for Applicant on instructions submits that Applicant is ready to abide by any condition including condition that he will not enter into Pune District.”

10. Thus, the order dated 2nd September 2024 indicates that the said condition of not entering the territorial jurisdiction, was a condition, which was invited by the Applicant for securing his release. That part, Paragraph No. 11 of the present Application makes a reference to the parents of the Applicant suffering from ailment since the year 2022. The said situation, was apparently prevailing on 2nd September 2024.

11. With reference to the relaxation of Condition No. 7(iv), Mr. Amit Palkar, learned A.P.P. submits that the Applicant has criminal antecedents, the offences include MCOCA. He relies on the order dated 7th April 2025 passed by this Court in Criminal Bail Application No. 636 of 2025 marked as “X” to submit that the attendance of the Applicant before the Police Station was found to be necessary even in the said case.

12. I am unable to accept the contention of Mr. Aditya Parmar, learned Advocate that the Applicant would be entitled to principle of parity, as submitted by him.

13. For the reasons recorded hereinabove, no case is made out. Hence, Interim Application No. 1552 of 2025 in Criminal Bail Application No. 1861 of 2024 is dismissed.

[ASHWIN D. BHOBE, J.]

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KOTAWADEKAR
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