

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2111 OF 2025
IN
APPEAL NO.603 OF 2025

BHALCHANDRA
GOPAL DUSANE

Digitally signed by
BHALCHANDRA
GOPAL DUSANE
Date: 2025.07.04
17:47:14 +0530

Suresh Keshav Naik ...Applicant
Versus
State of Maharashtra ...Respondent

Mr. Niranjan Mundargi i/by Keral Mehta, Advocate for Applicant.
Ms. Sangeeta D. Shinde, APP for State

CORAM: MADHAV J. JAMDAR, J.
DATED : 4th July 2025

P.C.:

1. Heard Mr. Niranjan Mundargi, learned Counsel for the Applicant and Ms. Sangeeta Shinde, learned APP for the State.
2. Mr. Mundargi, learned Counsel states that the Criminal Appeal has already been admitted by the Order dated 19th June 2025. He states that there are very valid points raised in the Appeal.
3. To substantiate said contention, Mr. Mundargi points out cross-examination of PW-5 i.e. panch witness (shadow witness) and more particularly paragraph No.28 on page 228 (internal page 18). He submits that said cross-examination shows that when the

incident where allegedly the Complainant handed over packet containing amount of Rs.30,000/- as illegal gratification to the Applicant, the said shadow panch witness was not available on the spot and he went to a hotel. He submits that the Applicant is the senior citizen of 67 years.

4. On the other hand, Ms. Shinde, learned APP strongly opposes the Bail Application. She submits that the material on record shows the involvement of the Applicant in the crime and therefore bail be not granted.

5. The Appeal is already admitted and final hearing of the Appeal will take considerable time. The Appellant is a senior citizen of 67 years. Accordingly, the case is made out for suspension of sentence during the pendency of the Criminal Appeal. In view thereof, the following order:

O R D E R

- (a) The sentence of imprisonment imposed vide Judgment and Order dated 4th June 2025 passed by the learned Special Judge (Under the P.C. Act, 1988), Bombay City Civil & Sessions Court, Mumbai in ACB Special Case No.49 of 2017 is

suspended during pendency of Criminal Appeal No.603 of 2025, preferred by the Applicant and the Applicant is directed to be released on bail on executing PR Bond in the sum of Rs.1,00,000/- with one or more solvent sureties in the like amount;

- (b) On being released on bail, the Applicant shall furnish his cell phone number and residential address to the Investigation Officer and shall keep the same updated, in case of any change thereto;
- (e) The Applicant shall not contact the Complainant or his family members or any other witnesses in any manner.

6. Accordingly, the Interim Application is disposed of in the aforesaid terms with no order as to costs.

(MADHAV J. JAMDAR, J.)