



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 624/2025

Swapnil s/o. Dayakar Choudhari Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. C. Jaltare, Advocate for the Applicant.
Ms M. A. Barabde, A.P.P. for the Non-applicant/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 27/11/2025.

. Heard.

2. The applicant has filed this second bail application to release him on bail.

3. The applicant is arrested in Crime No.117/2022 for the offences punishable under Sections 302, 364, 120-B and 201 of the Indian Penal Code.

4. The applicant has filed this application on the ground of delay in trial. The applicant was arrested in April, 2022. He has filed bail application, which was rejected. The crime rests on the circumstantial evidence. On 18.04.2024, the applicant has filed the application before this Court. This Court has expedited the matter and liberty was granted to this applicant to apply again if there is no progress in trial in next one year. The applicant has applied before the Trial Court as there was no progress. The Trial Court has rejected the application stating the gravity of the offence.

5. The applicant has filed this application again as the applicant is in jail for last three years and the evidence has not yet started. The status report is called. After going through the status report, it appears that, though the trial

was expedited, it appears from the record that the matter was listed for production of muddemal, from 20.02.2023 to 04.07.2023 the muddemal was not produced. It was informed by the learned Counsel for the applicant that the muddemal is produced on 01.07.2025. It appears that the prosecution has filed program on record on 03.02.2023. The muddemal was not produced and the witnesses were not called. The efforts were not taken by the learned A.P.P. to commence the trial though the Court has expedited the matter.

6. As the applicant is in jail since last three years and there is no progress in trial, the applicant is entitled to release on bail on the ground of delay in trial. Accordingly, I proceed to pass the following order :

- i] The criminal application is allowed.
- ii] The applicant shall be released on bail in connection with Crime No.117/2022 for the offences punishable under Sections 302, 364, 120-B and 201 of the Indian Penal Code, on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.
- iii] The applicant shall not in any way tamper with the prosecution evidence.
- iv] The applicant shall not pressurize or threaten the prosecution witnesses.
- v] The applicant shall attend the concerned police station on every Monday and Saturday

between 1:00 p.m. to 2:00 p.m.

vi] The applicant to co-operate with the Trial Court.

vii] The applicant shall co-operate the Investigating Officer.

The Criminal application is disposed of accordingly.

(MRS. VRUSHALI V. JOSHI, J.)

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