



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.1657 OF 2025

Khushalsingh Nanaksingh Gill **... APPLICANT**

VERSUS

The State of Maharashtra **... RESPONDENT**

.....
Mr. A.K. Bhosle, Advocate for applicant
Mr. P.P. Dawalkar, A.P.P. for respondent – State, assisted by
Mr. S.P. Nimbalkar, Advocate for informant

.....

WITH

**CRIMINAL APPLICATION NO.3472 OF 2025 IN
BAIL APPLICATION NO.1657 OF 2025**

Charansingh Shamsingh Kakarwal **... APPLICANT**

VERSUS

The State of Maharashtra & anr. **... RESPONDENTS**

.....
Mr. A.K. Bhosle, Advocate for applicant
Mr. P.P. Dawalkar, A.P.P. for respondent – State

.....

CORAM : SACHIN S. DESHMUKH, J.

DATE : 20th FEBRUARY, 2026

PER COURT :

1. Criminal Application No.3472/2025 is allowed. The

original informant is permitted to assist learned A.P.P.

2. The applicant seeks release on regular bail in connection with Crime No.0141/2025, registered with Phulambri Police Station, District Chhatrapati Sambhajinagar for the offences punishable under Sections 109, 115(2), 351(2), 351(3) read with 3(5) of the Bhartiya Nyaya Sanhita.

The prosecution case is that, on 14/3/2025 at about 20.30 Hrs., the victim was returning to his home on a motorcycle. The accused Nos.1 to 3 came from village Kolthan. The accused No.1 was riding the motorcycle. The said motorcycle gave dash to the motorcycle of the victim. Therefore, when the victim questioned, the accused Nos.1 to 3 beaten him by fists and kicks. When the informant and the witnesses were proceeding towards the victim, the accused No.2 instigated the accused No.1 to kill the victim as someone is coming. The accused No.1, stabbed in the stomach of the victim by means of knife. The informant and witnesses caught hold the applicant on the spot whereas the other two accused fled away.

3. Learned counsel for the applicant submits that, the

incident has occurred at the spur of moment and same was not premeditated. The investigation is complete and even the victim is discharged from hospital. As such, further incarceration of the applicant is not warranted. Hence, prayed to allow the application.

4. Per contra, learned A.P.P. and learned counsel for the informant vehemently opposed the application, submitting that, considering the fact that the victim has sustained stab injuries at the instance of the present applicant and there are witnesses to the incident, which disentitles the applicant to be admitted to bail. Hence prayed to reject the application.

5. Considering the submissions advanced by learned counsel for both the sides and perusal of the material on record, prima facie, indicates that, the incident has occurred in a spur of moment and there was no premeditation on the part of the applicant. Furthermore, the applicant is 21 years of age and a youthful mindset. Moreover, the prosecution seeks to examine 19 witnesses. As such, the trial is unlikely to conclude within a reasonable period.

6. Nevertheless, the investigation is complete and Charge

Sheet is filed. The applicant is behind the bars since 15/3/2025 i.e. for more than 11 months. As such, further incarceration of the applicant is unjustified. The apprehension expressed by learned A.P.P. can be adequately taken care of by imposing stringent conditions upon the applicant.

7. Hence the order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant Khushalsingh Nanaksingh Gill be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount in the above crime, on the conditions that :
 - (a) The applicant shall not tamper with the prosecution witnesses in any manner.
 - (b) The applicant shall remain present on each date, unless exempted by the trial Court.
 - (c) In case of breach of any of the conditions, the prosecution or the informant can approach the concerned Court seeking cancellation of bail of the applicant notwithstanding the fact that this Court has

granted the bail to the applicant.

- (iii) Needless to state that, the observations rendered herein are confined to the present application, and the trial Court shall decide the trial on its own merits and in accordance with law.

(SACHIN S. DESHMUKH, J.)

fmp/-