

VRJ

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

BAIL APPLICATION NO.3448 OF 2025

Sagar Balaso Kadam ... Applicant

V/s.

The State of Maharashtra ... Respondent

VAIBHAV
RAMESH
JADHAV

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Mr. Ramanik Pawar with Mr. Samadhan Mahamulkar,
Amit Waykool, Parvej Nadaf and Dinesh Sonarilkar
i/by Mr. Rahul Gupta for the applicant.

Mr. Pankaj. P. Deokar, APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : FEBRUARY 11, 2026

P.C.:

1. By the present bail application filed under Section 439 of the Code of Criminal Procedure, 1973, the applicant seeks to be released on regular bail in connection with Crime Register No. 420 of 2022 registered with Tasgaon Police Station, District Sangli, for the offences punishable under Sections 302, 120B, 504, 506, 143, 147, 148 and 149 of the Indian Penal Code, 1860, Sections 4 and 25 of the Arms Act, 1959, and Section 135 of the Bombay Police Act, 1951.

2. The prosecution case, in short, is that complaint is lodged by son of the deceased by name Ashish Anil Jadhav on 5/8/2022, therein alleged that on 4/8/2022 deceased Anil Jadhav was the President of one Shivneri Kala, Krida & Sanskrutik Mandal Dhavalves Tasgaon. Applicant was the member of Shivaji Yuvak Mandal. The member of Shivneri Mandal were practicing upcoming Dahihandi celebration program prior to the week of the incident. During the practice of Dahihandi, accused Sohan Dhanavade ply his four wheeler in high speed, due to which the quarrel took place between two groups. At that time, accused Sohan Dhanavade threatened to beat complainant and his companions. According to the complainant, on 4/8/2022, at about 03.00 p.m., some of the friends of complainant were standing in front of Tea stall situated at kokane corner. Applicant and two other accused by name Sohan Dhanavade and Sagar Kadam were also present there. Accused Sohan Dhanavade told Sagar Kadam that deceased is forming group of boys to establish power game. Accused Sagar Kadam uttered abuses in the name of deceased, which were told by Onkar Sawant to the complainant and his deceased father. Therefore, the complainant, his father and Onkar Sawant went to the house of Sagar Kadam to know reason of

abuses. Sagar Kadam was not found at home, therefore, they returned to their respective homes. It is further alleged by the prosecution that, complainant Ashish along with Onkar Sawant, Akash Patil, Hrishikesh Dhanavade, Avdoot Ghadage, Rahul @ Ranjit Sawant were chitchatting in Shivneri chowk, near house of Baban Dhanvade. At that time, Anil Jadhav, father of the complainant came in the said chowk and asked Ashish to come with him to go to house. At that time applicant and co-accused were seen by him with deadly weapons with knife, sword, sticks and iron rod. Suddenly, they started assaulting complainant's father with deadly weapon, specifically as stated in the FIR that Kamlesh Tambekar, Sagar Kadam, Sohan Dhanavade, Pawan Dhanavade having knife, sword, stick in their hands and sword in the hands of Suhas Aadsul and iron rod in the hand of Shital Patil. Kamlesh Tambekar threatening to kill, by stabbing knife on back of deceased. When deceased was catching Kamlesh, Shital Patil assaulted with iron rod on right hand of deceased. So also Sagar Kadam, Pawan Dhanawade and Sohan Dhanawade started assaulting deceased on his back, stomach and head with knife and sword-stick. When complainant went to near his father, Suhas Aadsul threatened to kill him by sword. Then all people gathered

and after seeing them they ran away. Consequently, F.I.R. was registered.

3. This is the third bail application. Earlier applications filed by the applicant were withdrawn with liberty to apply after some time. As the applicant has been in custody since 2022 and this is the third bail application, a status report was called for from the concerned Court and the same has been received.

4. Upon perusal of the status report, it appears that the charge has not yet been framed. The concerned Court has stated that there are multiple accused persons and that supplementary charge-sheets have been filed. It is further stated that all the supplementary charge-sheets bear Sessions Case numbers. The concerned Court has also stated that it is overburdened with cases of undertrial prisoners, matters under the MCOC Act, and other cases, and therefore the trial in the present case has not been initiated for the last four years.

5. Considering the report of the Trial Court, and keeping in mind that the right to a speedy trial is guaranteed under Article 21 of the Constitution of India, which is an essential component of a reasonable, fair, and just procedure, it is the constitutional

obligation of the State to devise such a procedure as to ensure a speedy trial for the accused. It is observed by this Court in Criminal Bail Application No. 5040 of 2024, on which learned counsel for the applicant has relied. Considering the long incarceration of the applicant, despite the seriousness of the offence, and in view of the status report of the Trial Court, this Court finds that the case is made out to grant bail to the applicant.

6. Hence, following order is passed:

- i) The bail application is allowed;
- ii) The applicant - Sagar Balaso Kadam is directed to be released on regular bail in connection with Crime Register No. 420 of 2022 registered with Tasgaon Police Station, District Sangli, for the offences punishable under Sections 302, 120B, 504, 506, 143, 147, 148 and 149 of the Indian Penal Code, 1860, Sections 4 and 25 of the Arms Act, 1959, and Section 135 of the Bombay Police Act, 1951, upon furnishing a personal bond of Rs.50,000/- with one or more solvent sureties in the like amount, to the satisfaction of the Trial Court, subject to the following conditions:

- a) The applicant shall report the Tasgaon Police

Station, District Sangli on first Monday of every month between 10.00 a.m. to 12.00 noon, until further orders.

b) The applicant shall not tamper with the evidence or attempt to influence any witness.

c) The applicant shall appear before the Trial Court on every date of hearing unless prevented by sufficient cause.

d) The applicant shall not leave the territorial jurisdiction of the Trial Court without prior permission.

e) The applicant shall not indulge in any criminal activity during the pendency of the trial.

f) Any breach of these conditions shall result in the prosecution moving for cancellation of bail before the Trial Court.

7. The bail application is allowed and disposed of.

(MRS. VRUSHALI V. JOSHI, J.)