

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

CRIMINAL REVISION APPLICATION NO. 27 OF 2026

Sumit Sunil ChouguleApplicant

Vs.

State of MaharashtraRespondent

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Mr. Sunil Kamble with Mr. Sandesh Kamble & Mr. Dipak Mirze,
Advocate for Applicant.

Mr. Shrikant H. Yadav, APP, for the Respondent-State.

Mr. S. D. Dhekale, HC/751, Murgud Police Station is present.

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CORAM: MRS. VRUSHALI V. JOSHI,

DATED: 18th JUNE 2026

PC.:-

1. The Applicant has filed this application to quash and aside the order dated 30th January 2026 passed by Additional Sessions Judge, Kolhapur and enlarge him on bail in Crime Register No.39 of 2025 registered with Murgud Police Station, District Kolhapur.

2. The crime is registered against this Applicant under section 103(1) read with Section 3 (5) of the Bharatiya Nyaya Sanhita, 2023. It is alleged that the Applicant alongwith other co-accused had committed murder of the grand-mother of the first informant. The case rests on the 'Last Seen Together' theory.

3. The counsel for Applicant has stated that the name of the Applicant is not mentioned in the FIR. One Ganesh is the main culprit. It is alleged that the Ganesh alongwith the Applicant and other co-accused had committed murder of his own grandmother for demand of money. The first informant saw the accused No.1-Ganesh alongwith the Applicant and other co-accused. The first informant has identified accused No.2, but has stated in his supplementary statement that he has not identified the third accused, who was wearing helmet. From the memorandum statement of the co-accused, the name of this Applicant is disclosed and thereafter, he was taken in custody and was arrested. The counsel for Applicant has stated that only on the statement of co-accused, this Applicant is arrested and is in jail. There is no any other evidence against this Applicant. He was minor at that time. It will take time to conclude the trial. The Applicant is student of 12th Standard. Considering his future, the counsel for Applicant prayed to release the Applicant on bail.

4. The learned APP opposed the application stating that the memorandum statement shows the active participation of this

Applicant. The Children Court has rejected the bail considering his role and danger to his life after release on bail. Hence, prayed to reject the application.

5. Heard learned counsel appearing for both the parties.

6. The case rests on the 'Last Seen Together' theory. This Applicant was not identified by the first informant. There is no material against this Applicant. Considering the role played by this Applicant and as name of this Applicant is disclosed by the co-accused in his memorandum statement, which cannot be considered at this stage and considering the age of the Applicant, the application deserves to be allowed.

7. Hence, the Application is allowed. The order dated 30th January 2026 passed by Additional Sessions Judge, Kolhapur is quashed and set aside. Hence, the following order.

ORDER

- (a) The Applicant shall be released on PR. bond of Rs.25,000/- with one or more sureties in the like amount in Crime No.39 of 2025 registered with Murgud Police Station, District Kolhapur.

- (b) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (c) The Applicant shall provide his residential address and cell number to concerned Investigating Officer and shall not change his place of residence without prior intimation to the concerned Investigating Officer.

8. With the above directions, the Revision Application is disposed of.

(MRS. VRUSHALI V. JOSHI, J.)

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