

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

CRIMINAL INTERIM APPLICATION NO.8 OF 2026

SACHIN RAMAKANT SAWANT
VERSUS
THE STATE OF MAHARASHTRA

...
Mr. Satyavrat Joshi a/w Mr. Yash G. Fadtare a/w Mr. Vaibhav Halke
a/w Mr. Sairaj Suryavanshi, Advocate for Applicant
Mr. A. S. Salgaonkar, APP for Respondent/State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 09TH JANUARY, 2026

PER COURT :

1. This application is filed for the following relief:-

"I. That this Hon'ble Court may be pleased to exercise its powers and temporarily relax/modify Bail condition No. (iii) imposed vide order dated 08.07.2024, as modified by Order dated 14.11.2025, and permit the Applicant to enter the territorial jurisdiction of Sangli City upto 20th January, solely for the purpose of election campaigning in connection with the election being contested by the Applicant.

II. Ad-interim relief in terms of prayer clause (I).

III. That for such other and further reliefs as the nature and circumstances of the case may require."

2. Heard learned advocate for applicant and learned APP for respondent – State. Perused the record.

3. Learned APP has strenuously opposed the application by placing reliance on the judgment passed in ***Mohd. Tahir Hussain Vs.***

State of NCT of Delhi [Special Leave Petition (Criminal) No.856/2025] to contend that the Supreme Court in similar circumstances has refused permission to the petitioner therein. In reply learned advocate for applicant has presented complete copy of the said decision reported in ***2025 SCC Online SC 135*** wherein in dissenting judgment it has mentioned as follows:-

"35. I would therefore, necessarily, insert the caveat that this judgment has been passed in facts and circumstances specific to this case. Were any litigant, in futuro, to cite this in a later case, I am sure the Court concerned would examine such case on its merits and on its own factual prism. When any court is called upon to apply and / or follow precedent, it is for that court to examine whether or not the precedent is attracted in that particular case. It would not be out of place to recall the following passage from Sanjay Dubey Vs. State of Madhya Pradesh, 2023 SCC Online SC 610:

"18... Yet, as our discussions in the preceding paragraphs display, the same are inapplicable to the extant factual matrix. It is too well-settled that judgments are not to be read as Euclid's theorems; they are not to be construed as statutes, and; specific cases are authorities only for what they actually decide. We do not want to be verbose in reproducing the relevant paragraphs but deem it proper to indicate some authorities on this point – Sreenivasa General Traders v. State of Andhra Pradesh, (1983) 4 SCC 353 and Amar Nath Om Prakash v. State of Punjab, (1985) 1 SCC 345 – which have been reiterated, inter alia, in BGS SGS Soma JV v. NHPC Limited, (2020) 4 SCC 234, and Chin-tels India Limited v. Bhayana Builders Private Limited, (2021) 4 SCC 602."

4. Another point of opposition on the part of learned APP is that there are thirteen offences registered against the applicant in Sangli City and therefore, the applicant does not deserve any relief.

5. Learned advocate for applicant in reply has submitted a chart showing that out of 13 offences registered against applicant, applicant is acquitted in eleven cases and only two cases of 2015 and the present case are pending against the applicant.

6. In view of the above and taking into consideration the fact that applicant is contesting election of Corporation and he has only three days remaining for campaigning, the application deserves to be allowed.

7. Hence, the following order:-

ORDER

(I) The interim application is allowed, on following terms:

(II) Applicant is permitted to enter into Sangli City from today till the evening of 15/01/2026, till the polling is over.

(III) Applicant shall remove himself from Sangli city in the evening of 15/01/2026 immediately.

(IV) During his stay in Sangli city applicant shall everyday attend Vishrambag Police Station, District Sangli at 09:00 a.m. and 09:00 p.m.

(V) It is made clear that the earlier condition imposed on the applicant that he shall stay in the jurisdiction of Vishram Baugh Police Station is not modified.

(VI) Parties to act upon the authenticated copy of this order.

(NITIN B. SURYAWANSHI, J.)