

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

CRIMINAL BAIL APPLN. NO. 3775 OF 2025

Rangrao Balwant Patil

VERSUS

State Of Maharashtra

WITH

CRI-INTERIM APPLICATION NO. 179 OF 2026

IN

CRIMINAL BAIL APPLN. NO. 3775 OF 2025

Rahul Hiralal Patel

VERSUS

State Of Maharashtra

Mr. Somvrat Kurlekar, Advocate for Applicant

Mr. Paras Yadav, for intervener

Dr. A. A. Takalkar APP for the State

CORAM : SACHIN S. DESHMUKH, J.

DATE : 25th MARCH, 2026.

P. C. :

1. The applicant seeks regular bail in connection with C.R. No. 110/2022 dated 03/04/2022 registered with Hatkanangale Police Station, District Kolhapur for offences punishable under Sections 302, 364A, 365, 201 120(B) read with 34 of the Indian Penal Code.
2. The complainant stated that on March 26, 2022, his brother, went to their family-owned saw mill. When he failed to arrive by

09:30 PM, the complainant inspected the saw mill and found his brother missing. The complainant received several phone calls from an unidentified individual using the victim's mobile phone. The caller alleged that his brother had defrauded him in Bitcoin transactions and claimed to have kidnapped him as a result. The unidentified caller demanded a ransom of ₹1,500,000 (Fifteen Lakh Rupees) for the safe release of the victim. Accordingly, the complainant approached the authorities and lodged the report against unknown person.

3. This being, successive application, when confronted with the demonstrable changes, learned counsel for the applicant is not in a position to demonstrate the same, except the assertion that there is no progress in trial.

4. Learned APP has submitted that prosecution witnesses have been subjected to examination, however, cross-examination is deferred at the instance of accused persons. Learned APP has placed reliance on the Judgment in the case of ***X Versus State of Rajasthan and Anr (2024 INSC 909)***, wherein the Hon'ble Apex Court has observed as under:

“14. Ordinarily in serious offences like rape, murder,

dacoity etc. once the trial commences and the prosecution starts examining its witnesses, the Court be it the Trial Court or High Court should be loath in entertaining the bail application of the accused”.

5. Apart from the aforesaid aspects, the proceedings before the Trial Court are not diligently prosecuted by the applicant which is evident from the fact that cross-examination of the prosecution witnesses is successively deferred at the instance of the accused persons. Therefore, the specious plea of delay in trial is not available to the applicant.

6. At this juncture, necessary reference is required to be made to the case of ***Gulfisha Fatima Vs. State (Govt. of NCT of Delhi)***¹.

“At the same time, the Court does not proceed on the assumption that the entire delay can be laid at the door of the accused, nor does it characterise the proceedings as free from institutional or systemic constraints. This is not a casual prosecution, nor one involving a narrow factual canvas. The law has taken its course, albeit at a pace dictated by the complexity of the case, the number of accused, and the nature of issues raised. The constitutional concern arising from prolonged custody

¹ 2026 INSC 2

is therefore acknowledged, but it does not, on the present record, translate into a finding that continued detention has become punitive or unconscionable solely by reason of delay.”

7. Thus, the plea of delay in trial is not available to the applicant. Considering the aforestated principles and the application being successive one, in absence of demonstrable change, the application does not warrant consideration.

8. Resultantly, the application stands disposed of. However, the concerned Court is requested to conclude the trial at the earliest.

9. In view of disposal of bail application, pending interim application also stands disposed of.

[SACHIN S. DESHMUKH, J.]