Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2673 OF 2026

Balkrushan @ Nathya Motiram Gaykar .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Ms. Syed Shabana M. Ali, Advocate for Applicant.
- Ms. Rajeshree V. Newton, APP for Respondent – State.
- PSI – Sardar Vasekar, Panvel Taluka Police Station, Navi Mumbai present.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 16, 2026

P.C.:

1. Heard Mr. Syed, learned Advocate for Applicant and Ms. Newton, learned APP for Respondent – State.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking Bail in connection with C.R. No.104 of 2024 registered with Panvel City Police Station for offences punishable under Section 307 of the Indian Penal Code, 1860 (for short '**IPC**').

3. The motive of the crime in the present case is *prima facie* seen in the contents of the First Information Report (FIR) appended at page No.54 of the Application whereby on account of the previous enmity with regard to certain incidents after 3 years ago and on the eve of the Haldi ceremony since Applicant had parked his motorcycle

incorrectly, both the brothers who are cousins exchanged stares at each other and in view of the aforesaid, they entered into a scuffle and altercation which led to the assault.

4. Applicant is alleged to have assaulted Applicant with an iron rod and caused grievous injuries. Applicant is incarcerated for the past more than 3 years. He has 3 minor children to provide care and support. In view of the matter and the fact that the trial is still not commenced and would take a long time to conclude, I am inclined to accept the case of Applicant's bails on the ground of him.

5. Hence, in view of above *prima facie* observations and findings, Bail Application of Applicant is allowed subject to the following terms and conditions:-

(i) Applicant – Balkrushan @ Nathya Motiram Gaykar is directed to be immediately released from prison in connection with CR. No.104 of 2024;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs.15,000/- (Rs. Fifteen Thousand only) with one or two sureties in the like amount;

(iii) Applicant shall report to the Investigating Officer at concerned Police Station, once every month, on the first

Sunday of the month between 10:00 a.m. to 12:00 p.m. until commencement of trial and thereafter shall attend all dates of hearing before the Trial Court;

(iv) Applicant shall cooperate with the conduct of the trial and remain present before the Trial Court on all dates, unless specifically exempted. Applicant shall not seek unnecessary adjournments. Any such conduct shall entitle the prosecution to apply for cancellation of bail;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current residential address and mobile telephone number and shall forthwith inform the Investigating Officer of any change in his residential address or mobile telephone number, as and when such change occurs; and

(viii) Any breach or infraction of any of the aforesaid conditions shall entail cancellation of the bail granted to the Applicant.

6. It is clarified that the observations made in this order are limited for the purpose of granting bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

7. Bail Application is allowed and disposed in the above terms.

[MILIND N. JADHAV, J.]

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