IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3200 OF 2026

Prathamesh @ Sonya Kiran Salunke
(Currently Lodged in Yerwada Central Prison)
Age – 22 years, Occupation :
R/o. Kiwle, Khed, Pune .. Applicant

Versus

The State of Maharashtra
(Through Khed Police Station, Pune) .. Respondent

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- Mr. Satyavrat Joshi a/w. Mr. Priyesh More,Advocate for Applicant.
- Ms. Sangeeta Phad, APP for the Respondent – State.
- S. V. Gholap, Head Constable, Khed Police Station, present.

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CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 17, 2026

P. C.:

**1.** Heard Mr. Joshi, learned Advocate for the Applicant and Ms. Phad, learned APP for the Respondent–State.

**2.** The Applicant is arraigned as Accused No.2 in Crime No. 679 of 2025, registered with Khed Police Station, Pune, wherein Section 103(1), 3(5) of the Bharatiya Nyaya Sanhita 2023 (BNS) and Sections 25 and 27 of the Arms, 1959 are invoked. In the present case Shubham Santosh Kamble- Accused No.1 who has been seen by the eyewitness Gaurav, who was pillion riding along with the deceased

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Ketan. The record *prima facie* throws light on the fact that the deceased and Shubham-Accused No.1 were both friends and known to each other.

**3.** On the fateful day of the incident i.e. 27th November, 2025, both of them crossed each other on their respective motorcycles, when the Accused No.1 called out Ketan to stop, they both exchanged pleasantries after greeting each other, but after which suddenly, out of the blue, Accused No.1 pulled out a country made pistol and shot Ketan at point-blank range fatally. Immediately thereafter the accused persons left the place on his motorcycle. The first informant is the wife of the deceased victim–Ketan, who filed the First Information Report (FIR) on 27th November, 2025, and her statement is appended at Page 23/D. There is an improvement made by her in her own statement while recording a supplementary 5 days later, on 1st December, 2025, appended at page 83. Admittedly, in the FIR, the first informant has stated that after she gained knowledge about the incident on 1st December, 2025, whereafter she and parents all came over and took Ketan to the hospital. Insofar as role of the present Applicant Prathamesh is concerned, the eyewitness Gaurav, who was pillion riding along with Ketan, has recorded his statement, appended at Page 56, wherein he has stated that Accused No.2 was along with two other friends who have not been identified. The Applicant has been arrested

on the statement of the Accused No.1. In the aforesaid backdrop, the motive of the crime is *prima facie* absent. Though the learned Advocate for the Applicant submits that the FIR itself throws light on the fact that the wife of the deceased victim had an affair with Accused No.1 prior to her marriage with the deceased. That *prima facie* may not appear to be correct because in the FIR the first informant has stated that Accused No.1 and her husband were very good friends, and in an incident involving another friend of theirs, the first informant had, infact, called upon Accused No.1 to intervene on their behalf. The motive of the crime, therefore, does not appear to be clear and, more importantly, the role attributed to Accused No. 2, the Applicant before me, entitles the Applicant to make out a strong case for grant of bail. In view thereof, the Applicant is granted bail.

**4.** Ms. Phad, learned APP, has raised a very strong objection and would submit that, insofar as the identity of the Applicant is concerned, merely because Test Identification Parade (TI Parade) has not been held, it cannot be ruled out that Accused No.1 has named him and, therefore, his role is complicit in the crime and equivalent to that of the Accused No.1, who had fired the gunshot. She would also submit that the Splendor bike of the deceased Ketan, was also recovered from the Applicant, and therefore, it makes out a strong case for the complicity of the Applicant in the present crime.

**5.** I have considered the strong opposition raised by Ms. Phad. However, in view of the statement given by the first informant, appended at Page 23/A to 23/E, and insofar as the relationship of the accused persons is concerned, the same cannot be seen to indict the Applicant before me in the crime, since he has not been identified. Nevertheless, the same can be undoubtedly looked into by the prosecution at the time of trial.

**6.** Bail Application is allowed on the following terms:-

(i) Applicant is directed to be immediately released from prison in connection with C.R. No. 679 of 2025;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs. 25,000/- (Rs. Twenty Five Thousand only) with one surety of the like amount;

(iii) Applicant shall report to the Investigating Officer at Khed Police Station, Pune, once every month on the first Monday between 10:00 a.m. to 12:00 p.m.;

(iv) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted and will not take any unnecessary adjournments, if he does so it will entitle the prosecution to apply for revocation of this order;

(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 address and mobile contact number and / or change of residence or mobile details, if any, from time to time, as applicable; and

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

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

**[ MILIND N. JADHAV, J. ]**