HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3455 OF 2026

Samarth Santosh Vardhekar .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Ms. Shubhangi Parulekar, Advocates for Applicant.
- Mr. Amit A. Palkar, APP for Respondent.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 14, 2026

P.C.:

1. Mentioned out of turn at the time of rising of the Court.

2. Heard Mr. Parulekar, learned Advocate for Applicant and Mr. Palkar, learned APP for Respondent.

3. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking Bail in connection with C.R. No.233 of 2023 registered with Faraskhana Police Station, Pune for offences punishable under Sections 302, 307, 143, 147, 148, 149, 201, 202 of the Indian Penal Code, 1860; Sections 4(25) of the Arms Act, 1959 and Sections 37(1)(3) and 135 of the Maharashtra Police Act, 1951.

4. In view of the exigency mentioned by Ms. Parulekar on the previous date of hearing, the academic credentials of the Applicant were desired to be seen by the Court. The Applicant is a young boy of

19 years of age and a polytechnic student having excellent academic record and no criminal antecedents. He got caught in cross-fire in view of of the enmity between the two friends. The alleged incident took place on the terrace of the building where there was no provision of electricity and the injury has been caused by sharp-edge weapons.

5. There are a total 10 young accused persons who are indicted in the present offence, out of which one is absconding whereas four other persons have been enlarged on bail. Considering the age of the Applicant and the fact that he is incarcerated for the past more than 2 years 10 months pending trial, I am inclined to consider the case of the Applicant for grant of bail on the ground of long incarceration and parity.

6. The academic credentials of the Applicant showing his entire schooling and academic study in college as also his credentials at the S.C. Certificate, H.S.C. Examination have been placed before me and after going through it, it is found that the Applicant has been a very bright student which persuades me to consider the case of the Applicant for grant of bail.

7. Considering the aforesaid, Applicant has made out case for grant of bail subject to following conditions:-

(i) Applicant is directed to be immediately released from prison in connection with Crime No. 233 of 2023;

(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 surety / sureties of the like amount;

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

8. 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.

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

H. H. SAWANT

[MILIND N. JADHAV, J.]

RAVINDRA MOHAN AMBERKAR

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Date: 2026.10.14 21:09:19 +0530