HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3774 OF 2026

Rohit @ Dadu Sudhakar Pekhale .. Applicant

Versus

The State of Maharashtra .. Respondent

.....

- Mr. Ashok Mundargi, Senior Advocate a/w. Ms. Nishi Singhvi, Advocates i/by Mr. Kuldeep Nikam for Applicant.
- Ms. Sangeeta E. Phad, APP for Respondent.

.....

CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 07, 2026

P.C.:

1. Heard Mr. Mundargi, learned Senior Advocate for Applicant and Ms. Phad, learned APP for Respondent.

2. This is an Application under Section 439 of of the Code of Criminal Procedure, 1973 seeking Bail in connection with C.R. No.126 of 2024 registered with Sarkarwada Police Station for offences punishable under Sections 302, 323, 504, 143, 148 and 149 of the Indian Penal Code, 1860.

3. Mr. Mundargi appears for Accused No.1 in the present matter. The role attributed to Accused Nos.1 and 4 is identical i.e. they having stabbed the victim on his abdomen and thigh with a sharp object. There is no recovery made by the prosecution of the alleged weapon.

4. It is prima facie seen that the victim in question was running an errand on behalf of his family members for purchasing certain items from the grocery store on his motorcycle and he encountered Accused No.3 who was standing on the road. At that time Accused No.3 along with the present Applicant came to the said store to buy cigarettes and an altercation occurred between them which escalated.

5. However the said altercation subsided there and then itself and the victim left the incident spot. However, this incident was a precursor incident and the victim once again returned back to the same spot where the Applicant alongwith the other co-accused persons were still buying their cigarettes. There was an altercation which occurred thereafter which led to a fight wherein the victim was assaulted.

6. Mr. Mundargi has argued that the Applicant has no antecedents and the role attributed to Accused Nos.1 and 4 is identical of they having used some sharp edged weapon. Though he has argued on other issues also relating to seizure and recovery, I need not detail myself in the same, since the Applicant has been incarcerated for more than 2 years 5 months in custody pending trial.

7. In that view of the matter and the ignominy of the trial not being commencing or for that matter concluding in the near foreseeable future being imminent, I am inclined to accept the case of Applicant on bail.

8. Considering the aforesaid, Applicant is released on bail subject to following conditions:-

(i) Applicant is directed to be immediately released from prison in connection with Crime No. 126 of 2024;

(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 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.

9. 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.

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

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA HANUMANT SAWANT

Digitally signed by HARSHADA HANUMANT SAWANT
Date: 2026.10.07 18:58:24 +0530