IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 4329 OF 2025

Jeevan Pandu Dighe .... Applicant
V/s.
The State of Maharashtra ...Respondent

Mr. A.R. Bukhari for the Applicant.
Mr. H.J. Dedhia, APP for the Respondent – State.
Mr. Santosh Wakchaure, PSI, Bhiwandi Taluka Police Station, Thane Rural, present.

CORAM: SHYAM C. CHANDAK, J.
DATED : 15th OCTOBER, 2026

P.C. :-

1. Heard learned Counsel for the parties. Persued the record.

2. The applicant seeks his release on bail in Cr.No.85/2021 registered with Bhiwandi Taluka Police Station, Dist. Thane for the offence punishable under Sections 302, 201 of the Indian Penal Code on the report dated 19.03.2021 filed by Asha Govind.

3. Considering the submissions by Mr. Dedhia, the learned APP and the material on record, I am of the view that there is a *prima facie* case against the applicant of having committed the murder of his own wife by strangulation. Mr. Dedhia further submits that, earlier, the applicant had filed BA/2925/2024 before this court which he has withdrawn. Therefore, he urged to reject the application.

4. However, it cannot be ignored that the applicant is in jail for last more than five years and six months. The charge was framed

on 05.08.2024. Till the date, only seven prosecution witnesses have been examined in this case. The prosecution has cited in all 33 witnesses. Therefore, the trial would certainly take considerable time to conclude. The presumption of innocence lies in favour of the applicant and the delay in the trial is denying him his liberty which is guaranteed under Article 21 of the Constitution of India. The applicant is not likely to abscond and tamper with the prosecution witnesses. The applicant was doing labour work. He has three children who are now aged 19, 17 and 13 years. They are in need of the support of the applicant.

5. In the wake of the above, I am inclined to allow the Application. Hence, the following Order :-

(i) The applicant – Jeevan Pandu Dighe be released on bail in Cr.No.85/2021 registered with Bhiwandi Taluka Police Station, Dist. Thane on his executing a P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.

(ii) The applicant shall mark his attendance at Bhiwandi Taluka Police Station, Dist. Thane on 1st day of a month between 11:00 a.m. to 02:00 p.m., till conclusion of the trial.

(iii) The applicant shall regularly attend the proceedings before the jurisdictional Court.

(iv) On being released from jail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated in case there is any change.

(v) The applicant shall not tamper with the prosecution evidence and shall not directly or indirectly influence the prosecution witnesses to prevent them from deposing against him.

(vi) It is clarified that any observation made in the present Order are for the purpose of deciding the present Bail Application. The trial Court shall decide the said case without getting influenced by any of the said observations.

6. Bail Application stands disposed of in aforesaid terms.

(SHYAM C. CHANDAK, J.)

PREETI HEERO JAYANI

Digitally signed by PREETI HEERO JAYANI
Date: 2026.10.17 15:45:48 +0530