IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 4879 OF 2025

Puja Vijay Chavan ... Applicant
V/S.
State of Maharashtra ... Respondent

Ms. Sana Raees Khan a/w. Mr.Suraj Mulik i/by SRK Legal, for the Applicant.
Mr. H.J. Dedhia, APP for Respondent–State.
Ms.Vinaya Parasur, Vashi Railway Police Station, present.

CORAM: SHYAM C. CHANDAK, J.
DATED : 6th OCTOBER, 2026

P.C. :-

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

2. Learned APP has tendered the Internet usage and CDR chart of the mobile phone of the applicant and other accused persons. It is taken on record and marked as '**X**' for identification.

3. The applicant-original accused No.4 is seeking her release on bail in connection with an FIR bearing Cr.No. 1 of 2025, registered with Vashi Railway Police Station, for the offence punishable under Sections 103(1), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 ("BNS"), on the report dated 01.01.2025 lodged by Mr. Sagar Gautam Jawanjal, PSI against the applicant.

4. The prosecution case is that the deceased was the husband of the applicant. Bhushan Nimba Brahmane (A2) is resident of Dhule. Since 2022, the applicant and A2 were in a romantic relationship and, intermittently, A2 used to visit the applicant at Mumbai. It is alleged that the deceased used to ill-treat the

applicant. Therefore, she used to tell about her ill-treatment to A2 and that, she wanted to get rid of the deceased. A2 also had a grudge against the deceased on that count. Therefore, the applicant and A2 hatched a criminal conspiracy to commit the murder of the deceased. For the said purpose, they involved A1 who is relative of the applicant residing in Mumbai and A3, who was friend of A2.

It is alleged that on 31.12.2024, A1 to A3 took the deceased with them in the car of A1 on the pretext of consuming liquor. Further, A2 and A3 caused the murder of the deceased by strangulation and threw the body of the deceased in front of a running railway between Rabale and Ghansoli Railway Stations. Therefore, the applicant and A1 to A3 were arrested. On completion of the investigation, the police filed the charge-sheet. The trial Court rejected the applicant's bail application. Hence this application.

5. Ms. Khan, learned Advocate for the applicant, submits that there is no direct or indirect evidence against the applicant of joining A1 to A3 to hatch a criminal conspiracy to commit the murder of the deceased. There is no evidence indicating that the applicant was instrumental in sending the deceased along with A1 to A3 to consume liquor. As such, the applicant is innocent and she is entitled to bail.

6. In contrast, Mr. Dedhia, the learned APP, submits that the CDR and internet usage of the mobile phones of the accused, produced on record, clearly indicate that since before the incident, the applicant, A1 and A2 were in constant contact with each other. They were also in continuous contact with each other, on

31.12.2024 and 01.01.2025, i.e., immediately before and after the commission of the murder. A2 is resident of Dhule, but he came to Mumbai on 31st December, 2024. Intermittently, A1 and the deceased used to consume liquor together. He submitted that to facilitate the murder, on the evening of 31st December, 2024, A1 caused the deceased to come to a certain place to accompany with him in his car, for partying. At that time, A2 and A3 also joined them from Ghansoli. Thereafter, A2 and A3 committed the murder of the deceased by strangling him in the car and subsequently threw his dead body in front of a running train. Mr. Dedhia further submitted that the applicant has not explained the said phone calls. Therefore, there is a prima facie case against the applicant of having conspired with the co-accused persons to commit the murder of the deceased and she is not entitled to bail.

7. I have considered the submissions. The material on record show that, at the relevant time, A1 to A3 were together; that, they took the deceased with them; further, they consumed liquor together; committed the murder of the deceased and, threw his body in front of the running train.

8. As far as the applicant is concerned, except the CDRs of the mobile phones of the applicant and A1, there is no other evidence against her, indicating that, she was instrumental in causing the deceased to accompany A1 to A3 on the pretext to consume liquor. The material on record does not indicate that the applicant was part of the discussion about the conspiracy to commit the murder. Therefore, mere CDRs are not sufficient to prima facie conclude that the applicant along with the co-accused persons conspired to commit the murder of the deceased.

The applicant is in jail for the last 22 months. The prosecution has cited 93 witnesses. The trial is not likely to conclude in the foreseeable future. Ms. Khan submitted that the applicant has two children aged about 11 and 7 years. The children must be facing hardship due to the incarceration of the applicant. The applicant is not likely to abscond or tamper with the evidence.

9. In the backdrop, I am inclined to grant bail. Hence, Order:

(i) The applicant -Puja Vijay Chavan be released on bail in the aforesaid FIR registered with Vashi Railway Police Station, on her executing P.R. Bond in the sum of Rs.1,00,000/- with one or two sureties in the like amount.

(ii) The applicant shall mark her attendance at Vashi Railway Station, Mumbai, on 1st day of a month, every three months between 11:00 a.m. to 2:00 p.m. till conclusion of the trial.

(iii) The applicant shall regularly attend the proceedings before the jurisdictional Court unless exempted by the said Court, for the reasons to be recorded in writing.

(iv) 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 her.

(v) On being released from jail, the applicant shall furnish her contact number and residential address to the

Investigating Officer and shall keep him updated in case there is any change.

(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.

10. Bail Application stands disposed of in aforesaid terms.

(SHYAM C. CHANDAK, J.)

SANJAY ASARAM MANDAWGAD
Digitally signed by SANJAY ASARAM MANDAWGAD
Date: 2026.10.09 11:38:53 +0530