

N.S.Kamble

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3730 OF 2024

Chetan Raju Gaikwad @ Chaitanya Raju Gaikwad ... Applicant

Versus

The State Of Maharashtra ... Respondent

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KAMBLE

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Mr.Kuldeep Nikam, for the Applicant.

Mr.P.P. Jadhav, APP for Respondent-State.

Mr.Priyal Sarda a/w Mr.Shubham Sane, for the Intervenor.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th JANUARY, 2026

P.C. :

. By this Application, Applicant is seeking regular bail in Crime No.1058 of 2022, registered with Pimpri Police Station, Pune for the offences punishable under Sections 302, 143, 147, 148, 149, 120B, 114, 115, 212, 201 of the Indian Penal Code, 1860 ('IPC' for short), Sections 3,4,25,27 of the Arms Act, Section 37 read with Section 135 of the Maharashtra Police Act, Section 3 and 7 of Criminal

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Law Amendment Act and Section 3(1)(i)(ii), 3(2), 3(3) and 3(4) of the The Maharashtra Control of Organised Crime Act, 1999 ('MCOC' Act).

2. It is prosecution's case that on 2nd December 2022, the Applicant and co-accused assaulted the deceased with sickle and murdered him. It is alleged that co-accused Vishal Lashkare fired at the deceased from a pistol.

3. It is contention of learned counsel for the Applicant that name of the Applicant was not mentioned in the FIR in Supplementary Statement. The role alleged to the Applicant is that he along with co-accused assaulted the deceased with sword and sickle. The learned counsel further submitted that co-accused John Paul, Raju Kamble, Siddharth Kamble, Milind Kamble, Mohan Mithare are released on bail. Hence, the Applicant is entitled for bail on principle of parity and requested to allow the Application.

4. It is contention of learned APP alongwith learned counsel for Respondent No.2 that role attributed to the co-accused who have been released on bail and the Applicant is different. There are allegations against the Applicant that he assaulted the deceased with

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sword and sickle. If the Applicant is released on bail, he may abscond or threaten prosecution witnesses. Hence, requested to reject the Application.

5. I have heard all learned counsel. Perused charge-sheet and documents produced on record.

6. In the FIR, there are specific allegations against the co-accused and name of the Applicant is not mentioned in FIR. In supplementary statement, the role attributed to the Applicant is that he along with co-accused assaulted the deceased with sword and sickle. The co-accused John, having same allegations is released on bail and other co-accused having similar allegations are released on bail. The Applicant is behind bar for more than 2 years. There is no progress in the trial. The Applicant is entitled for bail on principle of parity and I pass following order.

ORDER

(i) The Applicant-Chetan Raju Gaikwad @ Chaitanya Raju Gaikwad, be released on bail in Crime No.1058 of 2022, registered with Pimpari Police Station,

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Pune, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The Applicant shall not enter in jurisdiction of the Pimpri Police Station till framing of the charge except attending Court dates.

(ii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

(iv) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)