

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.4167 OF 2024**

Yallappa Dhulappa Hadimani

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Advait Tamhankar, *APP for the Applicant.*

Ms. Megha S. Bajoria, *APP for the Respondent - State.*

CORAM DR. NEELA GOKHALE, J.

DATED: 16TH FEBRUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No.I-132/2018 dated 23rd August, 2018, registered with the APMC Police Station, Navi Mumbai. The Applicant was arrested on 30th May, 2018. The investigation is over and the charge-sheet is filed. Initially, the offences under section 460 and 380 of the Indian Penal Code were recorded. Subsequently, sections 302, 201, 120-B, 397 r/w 34 of the Indian Penal Code were added.

2. Heard Mr. Advait Tamhankar, learned counsel for the Applicant and Ms. Megha Bajoria, learned APP for the State.

3. This is the second time, when the Applicant has approached this Court for his release on bail. The learned counsel for the Applicant submits the Court that there is absolutely no progress in the trial. The charges were framed only in January 2024 and not a single witness is examined till date. Therefore, only on the ground of delayed trial, the Applicant has approached this Court for his release on bail.

4. I have considered these submissions. I have also perused the charge-sheet, which mentions the facts of the case.

5. The prosecution story is that somewhere between 17th May, 2018 to 19th May, 2018, the Applicant and the co-accused Vijay Bansode, Atul Kamble and Sumit Surve entered the house of one Suman Hande. All of them together

overpowered her. She was smothered to death. The ornaments kept in the cupboard, worth more than Rs.3,07,000/- weighing 150 grams and one mobile phone was taken away. The mobile phone was thrown away and the ornaments were distributed amongst themselves. The Applicant was arrested on 30th May, 2018.

6. The prosecution case is that the Applicant entered the house on the pretext of helping the deceased in filing up some forms for Widow Pension Scheme. Taking wrong advantage of her helpless situation, this offence was committed. The circumstances against the Applicant are enumerated in the order dated 1st December, 2021. They can be summarized as follows:

(i) The ornaments were recovered at the instance of Applicant on 27th May, 2018.

(ii) He had kept some ornaments with a Jeweller and some ornaments were recovered at his instance from his room.

(iii) Some of the ornaments matched with the ornaments mentioned in the FIR.

(iv) There was a booking of a lodge on 17th May, 2018 at 04:10 p.m. The Applicant and his three associates had booked that room. It was booked in order to further their conspiracy and for distribution of the ornaments. They were seen coming in that lodge with bags.

(v) There are statements of two witnesses Shobha Thombare and Shatrughna Patil against the present Applicant.

7. In short, there is sufficiently strong material against the Applicant. However, inspite of that, I am constrained to grant relief to the Applicant solely on the ground that there is absolutely no progress in the trial. Not a single witness is examined. The Applicant is already in custody since 30th May, 2018. More than 7 years have passed. Even once the trial starts, it will take further time to reach its conclusion. Therefore, it is not proper to keep the Applicant in

custody for such a long period without trial. Only on that ground, the Applicant will have to be granted bail.

8. Hence, the following order :

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;
- ii) The Applicant shall attend the Trial Court concerned on each and every date unless exempted by the orders of the Trial Court concerned;
- iii) The Applicant shall also attend the Police Station concerned on every Sunday between 04:00 p.m. to 06:00 p.m., till the conclusion of the trial;
- iv) If the Applicant has not deposited his passport, if any, the Applicant shall deposit the same with the Police Station concerned;

v) The Applicant shall not leave India, without the permission of the Trial Court;

vi) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

vii) The Applicant shall inform his latest place of residence and contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the Police Station concerned;

viii) The Applicant to co-operate with the conduct of the trial;

ix) Any infraction of the aforesaid conditions shall entail cancellation of bail.

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

10. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(DR. NEELA GOKHALE, J)