

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.235 OF 2025

Tanuj Ravindra Kumar Jammuwal ... Applicant

vs.

The State of Maharashtra ... Respondent

Mr. K. M. Tripathi for the Applicant.

Ms. P. P. Shinde, APP for the Respondent-State.

Mr. Pandhari Kavde, PI, Kalyan Railway police station present.

CORAM : SHYAM C. CHANDAK, J.

DATED : 11th FEBRUARY, 2026

P. C. :

. Present Application seeks release of the Applicant on bail in C.R. No.773 of 2024, registered with Kalyan Railway Police Station under Sections 302, 307, 324 read with 34 of the Indian Penal Code (for short "IPC"), under Section 37 (1) and 135 of the Maharashtra Police Act, and Section 147 of the Indian Railway Act.

2. Heard Mr.Tripathi, learned counsel for the Applicant and Ms.Shinde, learned APP for the Respondent-State. Perused the record.

3. The prosecution case is that on 28th April, 2024 at about 2.10 hours, the informant-Pradeep Shirose and his three friends including deceased-

Dattatray Dunda Bhoir were travelling in the local train and they were chattering loudly. This noisy behaviour of them annoyed Accused No.1- Amol Pardeshi and present Applicant, who were together travelling in same coach. Therefore, Accused No.1 stabbed Dattatray Bhoir and informant-Pradeep Shirole by means of knife. As a result, Dattatray Bhoir and informant sustained injuries. The present Applicant assaulted the informant with a waist belt, and prevented him from interfering, when Accused No.1 was assaulting him and the deceased. Immediately, both the assailants were arrested by the police and were taken to the Vashind Railway police station. The injured Dattatray Bhoir and the informant were taken to the hospital. Dattatray Bhoir expired on the next day while undergoing treatment. Meanwhile, the informant filed the report pursuant to which aforesaid crime was registered. Therefore, the Applicant filed a Bail Application before the learned Additional Sessions Judge, Kalyan which came to be rejected on 26/11/2024. Hence, this Application.

4. Mr. Tripathi, learned Counsel for the Applicant submitted that the incident had occurred suddenly. The Applicant had no knowledge that the incident would take a serious turn and escalate to the offence of murder. However, the Applicant was not responsible for stabbing the deceased and the informant. As alleged, the Applicant had assaulted the informant by means of a waist belt. But the injuries sustained by him are minor in nature. Therefore, bail may be granted.

5. Ms. Shinde, the learned APP opposed the Application and contended that Accused No.1 and the Applicant both had together assaulted the deceased and the informant. The conduct of carrying knife indicates that both the accused were prepared for the assault. These facts indicate that there was a common intention on the part of both accused to commit the

murder. Thus, there is a *prima facie* case against the Applicant. Therefore, bail may be refused.

6. I have considered these submissions. The material on record indicates that when the informant and his three friends were returning by a train, they had consumed alcohol and were talking in an annoying manner. Therefore, Accused No.1 got angry and in that state of mind, he stabbed the deceased and the informant. However, from the material produced on record it does not appear that the Applicant knew that Accused No.1 would stab the deceased and the informant with a knife. In so far as the role of the Applicant is concerned, it is restricted to assaulting the informant and his friend with the waist belt but the injuries caused by the belt were not of serious nature. In view thereof, whether the Applicant had shared the common intention to commit the murder or not, is question of trial. The investigation is complete and further detention of the Applicant in jail is not required. The Applicant is not likely to abscond and tamper with the prosecution evidence.

7. In view of the above, I am inclined to grant bail to the Applicant.

7.1 Hence, the Order :-

(a) Bail Application is allowed.

(b) The Applicant – Mr. Tanuj Ravindra Kumar Jammuwal is directed to be released on bail in connection with C.R. No.773 of 2024 registered with Kalyan Railway police station under Sections 302, 307, 324 read with 34 of the Indian Penal Code (for short "IPC"), under Section 37(1) and 135 of the Maharashtra Police Act, and Section 147 of the Indian Railway

Act, on furnishing P.R. bond in the sum of Rs.50,000/- with one or two sureties in the like amount.

(c) The Applicant shall not contact and influence the prosecution witnesses in any manner and shall not tamper with prosecution evidence.

(d) The Applicant shall regularly attend before the trial Court and co-operate for hearing and disposal of the said case as will be required by the trial Court.

(e) The Applicant, upon being released on bail, shall place on record of the trial Court the details of his contact number and residential address with updates in case of any change.

(f) If the applicant disobeyed any of the above condition, the prosecution is at liberty to move the Court for cancellation of bail.

9. At this stage, the learned Counsel for the Applicant Mr. Tripathi prayed to grant four weeks time to furnish surety and till then, to release the Applicant on his executing a P.R. Bond in the sum of Rs.50,000/- and on depositing a sum of Rs.50,000/- in lieu of executing the surety bond.

Considering the facts of the case, said request is accepted. Hence, the Applicant be released on bail for a period of four weeks on his executing a P.R. Bond in the sum of Rs.50,000/- and depositing a sum of Rs.50,000/- in lieu of executing surety bond.

At the end of said period of four weeks, the Applicant shall furnish the surety. On furnishing such surety, the amount totaling to Rs.50,000/- deposited by the Applicant shall be returned.

10. It is made clear that, the observations made in this Order are *prima facie* in nature and shall not be construed as an expression of opinion on merits. The trial Court to decide the case on its own merits.

11. Bail Application is disposed of in the aforesaid terms.

(SHYAM C. CHANDAK, J.)