

Shubhada S Kadam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4150 OF 2025**

Deepali Vikas Phatangare

... Applicant/s

Versus

The State of Maharashtra

... Respondent/s

Mr. Ravindra S. Pachundkar along with Mr. Suresh Dhumal, Advocate for the Applicant.

Mr. S. S. Pednekar, APP for Respondent-State.

API-Lamkhade, Yerwada Police Station. Present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th MARCH, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No.449 of 2025 registered with Yerwada Police Station, District Pune, for the offences punishable under Sections 143(2), 143(3), 143(4) read with 3(5) of the the Bharatiya Nyaya Sanhita, 2023 and Sections 75, 80, 81 and 87 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

2. It is prosecution's case that accused Nos. 1 and 2 had sold their biological child to the present applicant and the applicant has transferred the amount to accused No.5.

3. It is contention of learned counsel for the applicant that the

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Shubhada S Kadam

applicant is behind bars for around eight months. The applicant has one daughter and her husband is 80% disabled. Learned counsel further submitted that the bank transaction allegedly showing transfer of an amount to accused No. 5 was carried out in the names of other persons and not by the applicant. Moreover, the statements of the persons through whom the said amount was transferred have not been recorded. The applicant is a lady, she has no antecedents and requested to allow the application.

4. It is contention of learned APP that the applicant purchased small child from accused Nos.1 and 2 and transferred the amount through the bank account. There are statements of witnesses contending involvement of the applicant in crime. If the applicant is released on bail, she may abscond and prosecution witnesses and requested to reject the application.

5. I have heard both learned counsel, perused charge-sheet and documents produced on record. The statements of bank accounts transferring the amount to accused No.5 shows that it is transferred by one Babaji Phatangare and Kiran Gunjal. The statements of these witnesses have not been recorded. The bank statements does not show that the applicant transferred the amount. The applicant is a lady. She has no antecedents. She is behind bars for around eight months. There is no

Shubhada S Kadam

progress in the trial. Considering these facts, Considering these facts, I pass following order :

ORDER

- (i) The applicant be enlarged on bail in Crime No.449 of 2025 registered with Yerwada Police Station, District Pune, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
- (ii) The applicant shall attend the concerned police station as and when required.
- (iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

The application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)