

Ajit Pathrikar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 75 OF 2026

Sandeep Suresh Kandalkar ...Applicant

Versus

The State Of Maharashtra ...Respondent

Mr. Ayush Pasbola *i/b Siddharth Mehta, for the Applicant.*

Ms. Gauri S. Rao, *APP for the State-Respondent.*

API – Gopal Lavane, *Unit-3, GC-1, EOW-Mumbai, is present.*

CORAM DR. NEELA GOKHALE, J.

DATED: 25th FEBRUARY 2026

PC:-

1. By way of this Application, the Applicant seeks modification of conditions 2, 2(a), 3 and 4 of the order dated 23rd December 2025. The conditions to be modified read thus:

“2. The Applicant – Sandeep Suresh Kandalkar @ Kaushal Vaidya is directed to be released on interim bail in connection with CC No. 332/PW/2016 registered with E.O.W., Unit-IV, Mumbai, for the offences punishable under Sections 406, 419, 420, 34 of The Indian Penal Code r/w Sections 65, 65(B) of the Information Technology Act, 2000, on furnishing PR Bond in the sum of Rs.10,00,000/- (Rs. Ten Lakh Only) with one or more sureties, (who are close

relatives of applicant) in the like amount till the period of next 3 months from the date of actual release of accused from the jail.

a. In addition to that, the applicant is further directed to deposit Rs.10,00,000/- towards cash security.

3. Depositing the amount of Rs.10,00,000/- (Rs. Ten Lakh Only) towards the cash security (exclusive of the amount of PR. Bond of Rs.10,00,000/- with one or more solvent sureties of like amount) is the condition precedent to release the accused on bail.

4. Only after depositing the amount of Rs.10,00,000/- towards cash security as ordered, applicant is permitted to deposit provisional cash bail of Rs.10,00,000/- (Rs. Ten Lakh Only) instead of solvent sureties of like amount for his immediate release with direction to file undertaking that he will furnish one or two sureties in the like amount of Rs.10,00,000/- (Rs. Ten Lakh Only) within a period of four weeks after his release.”

2. Mr. Ayush Pasbola, learned counsel for the Applicant, submitted that the bail has been granted only for the period of three months on medical grounds. He submits that since the Applicant has been in jail, he is unable to comply with the

condition of depositing Rs.10 Lakhs towards cash security. In these circumstances, he seeks modification of the said condition.

3. Ms. Gauri Rao, learned APP, has brought to my notice that when the Applicant was earlier released on interim bail, he had absconded and was traced after 5 to 6 years. The conduct of the Applicant does not inspire confidence and he has always changed his names in an attempt to conceal himself from the Investigation Agency. In these circumstances, she vehemently contests the modification of the interim bail order.

4. I have perused the interim bail order carefully. The Trial Court, while granting interim medical bail, has taken into consideration the said facts and the conduct of the Applicant as mentioned by Ms. Rao. In view of the serious medical and health issues being faced by the Applicant and the fact that, despite the grant of bail by the order dated 23rd December 2025, the Applicant is unable to admit himself to a private

hospital for treatment as he is unable to fulfill the condition of depositing Rs.10 Lakhs, I am inclined to modify the said order.

The modified order shall reads thus:

“i) The Applicant is directed to be released on interim medical bail in connection with C.C. No.332/PW/2016 registered with the EOW, Unit-IV, Mumbai on furnishing PR Bond of Rs.5 Lakhs with one or more sureties in the sum of Rs.1 Lakh for a period of three months during which he is released on bail.

ii) The additional condition directing him to deposit Rs.10 Lakhs towards cash security is deleted.

iii) The Applicant is permitted to deposit provisional cash bail of Rs.1 Lakh for a period of three weeks.

iv) The Applicant is directed to mark his attendance with the concerned E.O.W., Unit-IV, Mumbai once in two weeks by a video call or WhasApp message, as per the convenience of the Investigating Officer, till the time he surrenders.

v) The Applicant is also directed to keep the Investigating Officer informed regarding the name of the hospital where he intends to be admitted, the details of the doctors treating him and any other details as required by the Investigating Officer.”

- 5.** Rest of the order remains as it is.
- 6.** The Criminal Application is partly allowed and disposed of accordingly.

(Dr. Neela Gokhale, J)