

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1122 OF 2026

Lakhan Manohar Dhaware

...Applicant

versus

The State of Maharashtra

...Respondent

Mr. Vipul V. Dushing along with Mr. Ashraf Kazi, Mr. Ajinkya Gaikwad, Mr. Prajyot Shinde and Mr. Ashih Saxena i/b. Mr. Ritesh Gadade, Advocate for Applicant.

Ms. Gauri Rao, APP for Respondent-State.

API-V. A.Gaikwad, Faraskhana Police Station, Pune City, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 10th APRIL, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 1094 of 2020 registered with Faraskhana Police Station, District Pune, for the offences punishable under Sections 302, 143, 147, 148, 149, 120-B, 109, 201 of Indian Penal Code 1860, Section 4 read with 25 of the Indian Arms Act, Section 37(1) read with Section 135 of the Maharashtra Police Act and Section 3(1)(i)(ii), 3(2) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999.

2. It is prosecution's case that on 2nd October 2022, the co-accused murdered the deceased Deepak Maratkar on the ground of an old dispute. It is alleged that the applicant dropped the co-accused at the spot

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of the incident, where the co-accused murdered the deceased.

3. It is contention of learned counsel for the applicant that the applicant is entitled to bail on the principle of parity, as co-accused having similar allegations, have been released on bail. The applicant is behind bars for more than five years and six months, yet there is no progress in the trial. Hence, requested to allow the application.

4. Learned APP strongly objected to allowing the application on the ground that the applicant was in conspiracy with the co-accused and accordingly he dropped the co-accused at the incident spot, where the co-accused murdered the deceased, and thereafter the applicant fled the spot with the assailant. If the applicant is released on bail, he may abscond or threaten the prosecution's witnesses and requested to reject the application.

5. I have heard both learned counsel, perused charge- sheet and documents produced on record. The co-accused, having a higher role than the present applicant, have been released on bail. Considering these facts, the applicant is entitled to bail on the principle of parity, and I pass following order:

ORDER

- (i) The applicant be enlarged on bail Crime No. 1094 of 2020 registered with Faraskhana Police Station, District Pune, on

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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.)