

Shivgan

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1195 OF 2026

Sunder Hanumanta Chetkandi

...Applicant

Versus

State of Maharashtra

...Respondents

Mr. Amrish Salunke, with Mirza Mohiuddin Baig, Priyanka Kalekar, Sunil Kumar Gupta, Sabeeha Khan and Durgesh Pandey, for the Applicant.

Ms. S. K. Gajare, APP for the Respondent-State.

Mr. Sachin Tambe, PSI attached to MIDC Police Station, Mumbai present.

CORAM: R. M. JOSHI, J.

DATED: 7th APRIL, 2026.

PC:-

1. The Applicant seeks bail in connection with Crime No. 0675 of 2025, dated 8th September 2025, registered with MIDC Police Station, Brihanmumbai Shahr, for offences punishable under Sections 109(1), 115(2), 308(4), 351(2), 352 of Bharatiya Nyaya Sanhita, 2023 ('BNS') and Sections 37(1) and 135 of the Maharashtra Police Act, 1951.

2. In short, it is the case of the prosecution that on the basis of First Information Report lodged by the Injured-Informant that an incident occurred on 8th September 2025 in which the Applicant demanded Rs.10,000/- from the Informant. When he told the

Applicant about he having no money, he was abused and assaulted. The Injured-Informant was further assaulted on his head with a paver-block. It is further alleged that the Applicant took out a knife and threatened the others. On the basis of this information, the offence came to be registered. Informant-Injured was sent for medical examination. Statements of eye witnesses came to be recorded. On conclusion of investigation, charge-sheet was filed.

3. Learned counsel for the Applicant submits that this is a case of false implication of the Applicant in this crime. To support this submission, he drew attention of the Court to the fact that the incident in question is said to have occurred on 8th September 2025 but the Injured-Informant was referred to the hospital on 17th and 18th September 2025. It is his submission that practically, it is not possible to accept that in respect of the incident of 8th September 2025, he sustained injuries and was examined on 18th September 2025. It is his submission that owing to the said discrepancy, the Applicant is entitled for bail.

4. The learned APP opposes the Application firstly, by contending that there are criminal antecedents against the Applicant, which dis-entitles him of bail. She also places reliance on injury certificate dated 8th September 2025. According to the prosecution, the incident in question has been witnessed by number of witnesses and this is not a fit case for bail.

5. *Prima-facie*, perusal of the record indicates that the incident in question has occurred on 8th September 2025. Medical record however, indicates that the Injured-Informant was examined on 18th September 2025. This Court has tried to ascertain the

possibility of the date being wrongly mentioned in the record. However, not only the date is mentioned in writing but also there is a stamp of 18th September 2025. On the face of it therefore, the Injured-Informant was examined on 18th September 2025. This creates serious doubt about the claim of the prosecution of occurrence of incident on 8th September 2025. Apart from this, though it is alleged that the Applicant has used a knife in order to threaten the Informant and witnesses, but there is no recovery of knife in this case.

6. Even if it is accepted that the Applicant has criminal history, in view of the fact that there is substance in the contention of learned counsel for the Applicant that this could be a case of false implication, he is entitled for bail. Hence, the following order:-

ORDER

(i) The Bail Application stands allowed in connection with Crime No. 0675 of 2025, dated 8th September 2025, registered with MIDC Police Station, Brihanmumbai Shahr;

(ii) The Applicant be released on bail on furnishing P. R. Bond of Rs.15,000/- with one surety in the like amount to the satisfaction of the Trial Court;

(iii) The Applicant not to interfere into the evidence of the prosecution in any manner whatsoever;

(iv) The Applicant to attend all the dates of hearing before the Trial Court except exempted by a specific order by the Trial Court;

7. The Bail Application stands disposed of.

(R. M. JOSHI, J.)

SHAMBHAVI
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