



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [BA] NO. 808 OF 2025.

Vishal Pawankumar Punj.

-VERSUS-

State of Maharashtra.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri S.D. Chande, Advocate for the Applicant.

Shri D.V. Chavhan, Sr.Advocate/P.P. for the Non-applicant.

CORAM : M.M. NERLIKAR, J.

DATE : FEBRUARY 09, 2026.

Heard.

2. The applicant came to be arrested in connection with Crime No.580/2023 registered with Kondhali Police Station, Nagpur Rural for the offence punishable under Sections 302, 201, 120-B of the Indian Penal Code read with Sections 3/25 and 7/25 of the Arms Act. Charge sheet came to be filed and Section 404 of the Indian Penal Code came to be added.

3. The first information report in the matter came to

be lodged by Raju Raut, Assistant Police Inspector, Sitabuldi Police Station, Nagpur alleging that one Anjali Singh had filed a report on 26.07.2023 stating therein that her husband Niralasingh is missing since 25.07.2023. During the course of investigation, it was revealed that missing person had met with some casualty. It was learnt that the missing person was with Onkar Singh, Amrish Gode and present applicant and they had been to Rana Dhaba by motor vehicle. There was some dispute in regard to money transaction, and that Niralakumar and Amrish have been eliminated by means of firearms at a farm house. Bodies of both the deceased were thrown at Wardha River side at Talegaon on Amravati Road. Hence, the report.

4. The learned Counsel for the applicant submits that there is absolutely no material in the charge sheet to connect the applicant with the incident of two murders of the deceased persons namely [1]Amrish Gode and [2]Niralakumar Singh. Both the deceased are his friends and infact he was the one who informed wife of Niralakumar, when she enquired about Niralakumar that the deceased and Onkar went away from Rana Dhaba, however, he was not aware about their further

details. Admittedly from the CCTV footage, it appears that the present applicant was at Wings Cafe at about 1 p.m., with the main accused Onkar and the deceased. The applicant was not aware whether there was any conspiracy or not, however, in good faith he had introduced the deceased with Onkar, who is the main accused. It is further submitted that they went to Rana Dhaba at about 7.30 p.m. and thereafter the deceased and Onkar went from Rana Dhaba, however, the applicant remained there and, therefore, submits that when he received the phone call from wife of Niralakumar, he informed that Onkar has taken her husband and he was not aware about their further whereabouts. Accordingly, the applicant waited at Rana Dhaba and thereafter returned to Nagpur, from where he was arrested. The applicant has no role to play in the alleged murder of two deceased persons [Amrish and Niralakumar]. The spot of incident is far away from Rana Dhaba, and therefore, apart from CDR reports, there is nothing in the charge sheet to connect the applicant with the actual incident of murder. Even there is no evidence or material in support of alleged conspiracy. It is to be noted that even both the

deceased never ran away from the clutches of main accused. Had it been a case of kidnapping, the deceased would have tried to free themselves from the clutches of accused persons. Therefore, by no stretch of imagination, the present applicant can be said to have been involved in the conspiracy. Lastly it is submitted that the present applicant is behind bars since last 29 months, and though charge sheet is filed only two witnesses have been examined. The charge sheet contains names of 132 witnesses, and that trial will take time, and for said purpose the applicant cannot be kept behind bars for an indefinite period, and therefore, prays for grant of bail.

5. On the other hand, the learned Senior Advocate and P.P. opposes the application by submitting that right from the beginning i.e. 25.07.2023, the present applicant along with other accused and deceased were at Wings Cafe, they went to Woodpecker Company belonging to the main accused Onkar, and from there they went to Rana Dhaba. Present applicant is seen in the CCTV footage of Rana Dhaba, however, he returned along with main accused Onkar in the midnight. There is concrete evidence against the applicant in the nature

of CDR report, demonstrating the fact that from the beginning, even after murder of two persons, they were in constant touch with each other, and therefore, there is clear cut evidence in support of conspiracy, as well as actual murder. He further submits that since from 1 p.m., they have been seen in the company of the deceased persons at Wings Cafe and thereafter at Woodpecker Company. They have also been seen in the toll plaza CCTV footage, and thereafter at Rana Dhaba. All these factors goes to show that the present applicant has actively participated in the criminal conspiracy, he has helped the main accused in committing murder of both the deceased persons and therefore, submits that considering the seriousness of the allegations, the fact that there are two murders and the active involvement of the applicant, he does not deserves to be released on bail.

6. I have considered the rival submissions of the parties. There is material on record to show that at about 1 p.m. the present applicant along with the main accused and deceased was seen in the CCTV footage at Wings Cafe. It is also a matter of fact that they have been seen at Woodpecker

Company along with the main accused Onkar. The applicant was also seen with other accused persons and deceased persons at Rana Dhaba. However, the fact remains that from Rana Dhaba, the main accused and the deceased went further by leaving the applicant behind at Rana Dhaba itself. Considering this fact, so far as the actual spot of murder is concerned, which is approximately 10 kms., away from Rana Dhaba, perusal of one of the statement of the witness, who is servant of adjacent land owner, goes to show that present applicant had not been to the farm house and therefore, prima facie appears to be not involved in the actual crime of murder of both the deceased persons. It is a matter of record that right from 1 p.m. till 9.30 p.m. the applicant is seen with other accused persons and deceased. The evidence in the nature of CDR calls between the main culprits and present applicant is on record. It is also a matter of record that when the wife of deceased Niralakumar called the present applicant, he informed her that the deceased went along with main accused Onkar. Thus, considering the fact that the present applicant was seen at Rana Dhaba till 10.15 p.m., however, he returned along with Onkar, which can

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be gathered from CCTV Footage at toll naka at the midnight. Admittedly there are several calls between the present applicant and the main accused, however, there is every possibility that when wife of deceased Niralakumar was calling him, he was asking the main accused about their whereabouts. The applicant is behind bars since last 29 months, and it is a fact that investigation is complete and charge sheet is also filed. Thus considering the fact that the applicant was not on the spot of incident, and the fact that he was arrested from Nagpur itself, I am inclined to grant bail. Hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant /accused Vishal Pawankumar Punj be released on regular bail in connection with Crime No.580/2023 registered with Kondhali Police Station, Nagpur Rural for the offence punishable under Sections 302, 201, 120-B and 404 of the Indian Penal Code read with Sections 3/25 and 7/25 of the Arms Act on his furnishing P.R. Bond of Rs.50,000/- with two sureties in the like amount.
- (iii) The accused shall not directly or indirectly

make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.

- (iv) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.
- (v) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for one single date, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.
- (vi) The above observations are prima facie in nature, and restricted for the purpose of deciding this application. The Trial Court shall not get itself influenced by said observations, during the course of trial.
- (vii) Misc. Applications, if any, are also disposed of.

JUDGE