



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

CRIMINAL APPEAL NO.112 OF 2026

Pawan S/o Gulab Rathod, R/o Kanka, Tq. Mehkar, Dist. Buldhana
vs.

The State of Maharashtra. Thr. PSO, Dongaon PS, Tq. Mehkar, Dist. Buldhana and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Dhruv Sirpurkar, Advocate for appellant/applicant.
Smt Prachi Joshi, Addl. Public Prosecutor for respondent No.1/State.
Smt Sonali Saware-Gadhawe, Advocate for respondent No.2.

CORAM : RAJ D. WAKODE, J.

DATED : 25th May, 2026

Criminal Application (APPA) No.375/2026

Heard Shri Dhruv Sirpurkar, learned counsel for the applicant, Smt Prachi Joshi, learned Additional Public Prosecutor for respondent No.1/State and Smt Sonali Saware-Gadhawe, learned counsel appearing for respondent No.2.

2. This is an application for temporary bail during pendency of the Criminal Appeal No.112/2026.

3. The appellant-applicant has been charge-sheeted by respondent No.1-Police Station, Dongaon, Tq. Mehkar, District Buldhana for the offence punishable under Sections 103(1), 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 3(2) and 3(v) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

4. Investigation in the crime is completed and the charge-sheet was filed on 27/02/2025 in pursuance to the FIR No.284/2025 dated 05/12/2024 and the appellant was arrested on the same day i.e. 05/12/2024. Since then the appellant-

applicant is in jail.

5. Since regular bail of the appellant was rejected by the Sessions Court, the appellant has approached this Court by way of present appeal for grant of regular bail.

6. Shri Dhruv Sirpurkar, learned counsel for the appellant-applicant submits that the aforesaid criminal appeal is pending before this Court and is posted after vacation. However, on 23/05/2026 the father of the appellant has passed away and therefore he has moved the present application for grant of temporary bail since the appellant-applicant is the sole earning member of the family and the last rites of the father of the appellant-applicant cannot be properly conducted without the release of the appellant-applicant.

7. Shri Sirpurkar, learned counsel has tendered across the bar the death certificate issued by the Gram Panchayat Officer, Tal. Mehkar, District Buldhana substantiating the fact that Gulab Merchand Rathod, father of the appellant-applicant has expired on 23/05/2026.

8. The copy of the aforesaid application was served upon the learned Additional Public Prosecutor so also the learned counsel for respondent No.2. The learned Additional Public Prosecutor upon instructions has confirmed the fact that the father of the applicant has expired on 23/05/2026.

9. In view of the above, solely on humanitarian ground, I am of the considered opinion that the appellant-applicant needs

to be released on temporary bail for six days in order to perform the last rites of his father so also to console the family members.

10. Accordingly, I pass the following order :

- (a) The applicant Pawan S/o Gulab Rathod, is ordered to be released for six days from 26/05/2026 to 31/05/2026 purely on temporary bail on humanitarian ground to perform the last rites of his father on furnishing PR Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with one or two sureties in the like amount to the satisfaction of Additional Sessions Judge, Mehkar, Dist. Buldhana.
- (b) The applicant shall report to Dongaon Police Station on 27/05/2026 and 29/05/2026 between 1 pm to 4 pm.
- (c) The applicant shall not leave the limits of village Kanka, Tq. Mehkar, District Buldhana during the aforesaid period.
- (d) The applicant shall surrender before the Superintendent of Central Jail, Washim by 6 pm on 31/05/2026.

11. It is made clear that no prayer for extension of period of temporary bail beyond 31/05/2026 (6 pm) will be entertained on any ground whatsoever.

12. All concerned to act on authenticated or uploaded copy of this order.

(Raj D. Wakode, J.)