



ITEM NO.14

COURT NO.6

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 4793/2023

(Arising out of impugned final judgment and order dated 29-09-2022 in BA No. 2523/2021 passed by the High Court of Judicature at Bombay)

KADAR NAZIR INAMDAR

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.64666/2023-CONDONATION OF DELAY IN FILING and IA No.64671/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.64673/2023-EXEMPTION FROM FILING O.T. IA No. 64671/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 64673/2023 - EXEMPTION FROM FILING O.T.

IA No. 70311/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 10-05-2023 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SANJAY KAROL

For Petitioner(s)

Ms. Sana Raees Khan, Adv.
Mr. Sriram P., AOR
Mr. Sriram Parakkat, Adv.
Mr. Ms Vishnu Shankar, Adv.
Mr. Aditya Santhosh, Adv.
Mr. Nachiketa Vajpayee, Adv.

For Respondent(s)

Mr. Aaditya Aniruddha Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. This is a petition seeking bail.
2. Heard Ms. Sana Raees Khan, learned counsel for the petitioner

and Shri Aaditya Aniruddha Pande, learned counsel for the respondent/State.

3. Learned counsel for the respondent/State vehemently opposes the petition. He submits that the petitioner is a part of conspiracy hatched to eliminate the deceased. He submits that the circumstances, as discussed by the learned Single Judge of the High Court, clearly point out the finger towards the present petitioner.

4. The learned Single Judge of the High Court, by an order dated 29.09.2022 running into sixteen pages has rejected the application for grant of bail.

5. Recently, this Court, vide order dated 27.04.2023 passed in SLP(Crl) No. 3561/2023, had deprecated the practice of detailed elaboration of evidence in the orders granting/rejecting bail/anticipatory bail. This Court also deprecated the practice of long delay between reserving the matter for order and pronouncing the order. We had observed that in the matters pertaining to liberty of citizens, the Courts are expected to decide the matters expeditiously. In the said matter the delay was about one and a half month while in the present case the order is pronounced almost three months after it was reserved.

6. In the present case, accused No.9/Mohsin has already been granted bail, vide order dated 02.03.2021, by the learned Sessions Judge, Pune. Indisputably, the said order has not been carried in an appeal by the State.

7. Upon perusal of the charge-sheet as well as the impugned order it cannot be said that the role of the petitioner herein stands on a higher pedestal than that of co-accused/Mohsin. It is further to be noted that though the petitioner has been incarcerated for about two and a half years, the charges are yet to be framed.

8. In that view of the matter, we are inclined to allow this petition.

9. The petitioner is directed to be released on bail in connection with FIR No.487 of 2020 dated 26.10.2020 registered at P.S. Lonavala City, Pune Rural, to the satisfaction of the Trial Court.

10. The special leave petition is, accordingly, disposed of.

11. Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)