



Sessions Case No. 291/2022
(CNR No. : MHPU14-004681-2022)

State of Maharashtra
Vs.
Vasant Chaugule

ORDER BELOW EXH. 5

1. This bail application filed by the applicant/accused **Vasant Vyankappa Chaugule** under Section **439** of Cr.P.C. to release him on regular bail, in connection with Crime No. **712/2022**, registered at Police Station, Yavat, Tal. Daund, Dist. Pune, for the offence punishable under Sections **307, 504, 506** of the Indian Penal Code, 1860.

2. It is the case of prosecution that, accused is husband of injured Shamal @ Savita Chaugule. On **27/08/2022** at about **19.00** hours accused raised quarrel with his wife and wife of first informant on account of not providing him meal on time and that time he abused and threatened to kill them. Thereafter, at about **22.45** hours when injured had slept in the house, accused came near her and he inflicted blows of iron solid (लोखंडी घन) on her head and caused grievous injury to her. Therefore, first informant Ganesh Vasant Chaugule, who is son of accused, lodged said report against accused.

3. According to applicant/accused, he is innocent person and has not played any role in the commission of this crime. He is falsely implicated in this crime. The contents of FIR are false and made up, it does not reveal the complete story. He has no criminal antecedent. He is ready to execute surety as per the order of this

Court. He is ready and willing to obey each and every condition, which this Court may impose while granting the bail and at last, he prayed for releasing him on regular bail.

4. On the other hand, learned APP has filed his say on this application and he strongly opposed the present application on the ground that, applicant/accused has committed very serious nature of offence and tried to kill his wife Shamal Chauqule. In this situation, if applicant released on bail, then possibility of repetition of similar crime, or more grave as well as tampering the prosecution evidence and pressurizing the witnesses cannot be ruled out. By mentioning other relevant facts, learned APP prayed for rejection of this application.

5. During course of arguments, first informant and injured present before Court and they submitted that, they have no objection to release the applicant/accused on bail and they prayed for allowing the application.

6. Perused the application and say filed by Investigating officer. I have also perused the police papers. Heard both side including first informant and injured at length.

7. On perusal of record it reveals to me that, applicant/accused is charged for the offence punishable under Sections **307, 504, 506** of the Indian Penal Code, vide Crime No. **712/2022**. Record shows that, applicant/accused is under arrest since **29/08/2022** and since then he is detained in the Jail. On perusal of record it appears that, muddemal property involved in this crime is already seized. The trial will take uncountable period. Therefore,

there would be no gainful purpose in keeping the applicant behind bar for uncountable period. The apprehension of the prosecution can be taken care by imposing certain stringent conditions. In such situation, if applicant/accused released on bail by imposing certain stringent conditions, it will not any hurdle to the prosecution case. Accordingly, I inclined to allow the present application and proceed to pass following order.

ORDER

1. The application (Exh.5) is allowed.
2. The applicant/accused **Vasant Vyankappa Chaugule** shall be released on bail for the offence punishable under Sections 307, 504, 506 of the Indian Penal Code, 1860, in connection with Crime No. 712/2022, registered at Police Station, Yavat, Tal. Daund, Dist. Pune on execution of P.R. and S.B. in the sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with one or two solvent sureties of the like amount on following conditions :
 - [i] The applicant/accused shall not tamper with prosecution evidence or pressurize the complainant and witnesses in any manner whatsoever.
 - [ii] **The applicant/accused shall attend Police Station, Yavat, Tal. Daund, Dist. Pune as and when required by the Investigating officer for the purpose of further investigation, if any.**
 - [iii] The applicant shall give declaration of place of his residence.
 - [iv] The applicant shall file the proof of residence, both present and permanent on record.
 - [v] The applicant shall attend the Court regularly on each and every date.

- [vi] The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court to to any police officer.
- [vii] The applicant shall not indulge in any criminal activities.
- [viii] The applicant shall comply with Chapter-I, Paragraphs 1 to 6 of the Criminal Manual, 1980. (In view of order of the Hon'ble Bombay High Court passed in Criminal Application No.28 of 2010 in Public Interest Litigation No. 25 of 2010 on January 29, 2020.
3. If breach of the any of the above conditions committed, then investigating officer has liberty to move his application for cancellation of bail before this Court.
4. Intimate to the concerned police station and Jail authority accordingly.
5. The application (Exh.5) is accordingly disposed of.

Baramati.
Date : 21/08/2024.

[R. K. Deshpande]
Additional Sessions Judge, Baramati
Dist. Pune

CERTIFICATE

I affirm that the contents of this P. D. F. file Order are same word for word as per original Order.

Name of the Steno :- **Shri. D. L. Gudde,**
Stenographer (Grade-I)

Name of the Court :- **Shri. R. K. Deshpande,**
District Judge- 2 &
Additional Sessions Judge,
Baramati, Dist. Pune.

Date of Order :- 21/08/2024

Order checked & signed
by presiding officer on :- 23/08/2024

Order uploaded on :- 23/08/2024.