

Order below Exh- 24 in RCC No.608/2024

(State of Maharashtra Vs. Sudarshan Vishnukant Chandrapatle)

This is bail application filed by the applicant/accused i.e. Sudarshan Vishnukant Chandrapatle to release him on bail in RCC No. 608/2024 in CR. no. 134/2024.

02. Perused the bail application Exh. 24 and say filed thereon by the Ld. APP S. S. Pawar.

03. Heard learned advocate Shri. Pavan Gaikwad along with Legal Aid Counsel Valunjkar for the applicant and Ld. Spl APP Smt. Kadare for the State.

04 The Ld. Advocate Shri. Gaikwad for the applicant submitted that the present accused has been charge-sheeted under section 454, 380 of the IPC in CR. No. 134/2024 registered at Vadgaon Maval Police Station. The present accused is remanded in MCR on 06.07.2024 and since then he is in judicial custody.

05. The Ld. Advocate Shri. Gaikwad for the applicant vehemently submitted that the accused has been falsely implicated in the commission of the alleged offence and he is only earning member of his family. The applicant is ready to furnish bail. The Ld. Advocate for the applicant further submitted that the investigation is completed and charge sheet is filed. However, the accused is in jail since his arrest and despite framing charge prosecution failed to secure presence of the witnesses. Hence the application be allowed.

06. The Ld. Spl. APP Smt. Kadare for the state submitted that,

after filling of charge sheet bail application of the accused came to be rejected as the accused is habitual offender and gold ornaments of Rs. 6 to 7 lakh has been recovered hence bail application be rejected.

07. On perusal of charge sheet it is noted that, first bail application was rejected vide order dtd. 19/06/2025 and charge was framed at Exh. 21 on 25.09.2025 and summons was issued against the prosecution witnesses. However, prosecution failed to secure their presence despite the accused is in jail.

08. It is to be noted that, it is settled principal of law that, by catena of judgments of the Hon'ble Supreme Court, speedy trial is held to be right of the accused as enshrined under article 21 of the constitution. Gravity of offence can not defeat right of speedy trial. The Hon'ble Supreme Court recently in the case of **Arvind Dham V/s Directorate of Enforcement 2026 INSC 12** dtd. 06.01.2026 in para 18 held that,

“The right to speedy trial, enshrined under article 21 of the constitution is not eclipsed by the nature of the offence. Prolonged incarceration of an under trial without commencement or reasonable progress of trial, cannot be countenanced, as it has the effect of converting pre trial intention into form of punishment. Economic offences, by their very nature, made differ in degree and fact, and therefore cannot be treated as homogeneous class warranting a blanket denial of bail”.

09. Since the arrest on 01.07.2024 the accused is in jail and despite framing charge prosecution failed to secure their attendance and proceed with the trial. Hence, the bail application of the accused is liable to be allowed. Hence, following order.

ORDER

1. The application Exh. 24 is allowed.
2. The accused Sudarshan Vishnukant Chandrapatle shall be released on bail on furnishing PB and SB of Rs. 50,000/- in CR. No. 134/2024 registered for the offence punishable u/s 454,380 of IPC subject to following conditions that:
 - i] He shall not tamper with prosecution evidence or give threat to witnesses and shall co-operate investigating agency.
 - ii] He shall not abscond and attend the court regularly and shall not repeat the offence.
 - iii] He shall file proof of his residence and contact number.
 - iv] He shall not commit similar offence while released on bail.

(Pronounced and dictated in open court.)

(Shri. V.R. Doifode)

Dated : 13.01.2026.

4th Jt. Civil Judge Junior Division
Vadgaon Maval, Pune.

CERTIFICATE

I affirms that the contents of this P.D.F file Judgment are same word for word as per original order.

Name of Steno : M. B. Ingole (Grade-III)
Court Name : Shri. V.R. Doifode, 4th Jt. C.J.J.D.
& J.M.F.C. Vadgaon Maval, Pune.
Date of order : 13.01.2026.
Order signed by PO. on : 13.01.2026.
Order uploaded on : 13.01.2026.