

MHRG170001682026



IN THE COURT OF ADDITIONAL SESSIONS JUDGE PANVEL,
AT PANVEL - RAIGAD
ORDER BELOW EXHIBIT NO.1 IN BAIL APPLICATION NO.88/2026
(Dated 24/03/2026)

At the outset it is important to mention here that the applicant Vinaykumar Shreeram Sanjivan Sharma has filed present application for regular bail u/sec.483 of the BNSS, 2023 in C.R.No.544/2025 registered with Panvel City Police Station for the offences p/u/sec 318(4), 336(3) 337 and 338 of BNS, 2023. However, on 05/03/2026 the applicant moved pursis vide Exh.8 and thereby informed the Court that the said application be treated as a temporary bail application. So by way of present applicant, now applicant is seeking temporary bail on the ground of his medical condition.

2] It is case of applicant that he has been arrested in connection with C.R.No.544/2025 registered with Panvel City Police Station on 13/09/2025. After custodial interrogation he has been remanded to judicial custody on 20/09/2025. further it is case of applicant that he is 72 years old. The doctor has advised him to undergo eye surgery. Likewise, he is suffering from other age related ailments. The doctor in discharge summary dated 23/07/2025 has advised him to undergo

surgery for gallstones (Cholelithiasis). It is also the case of applicant that he is diabetic patient and requires specialized medical treatment and family attendant. Hence, it is prayed by applicant that he be released on temporary bail to avail medical treatment.

3] The opponent State resisted the application by filing say vide Exh.5. It is stated that the applicant is accused of serious offence. He is an advocate. Despite having good knowledge of law, he forged the Court order for his own benefit. So far as the illness of applicant is concerned, it is stated by opponent State that the requisite medical facility is available for applicant at Sir J. J. Hospital, Mumbai. Medical condition can not be a ground for temporary bail. Hence, it is prayed that the application be rejected.

4] Heard Ld. Advocate Shri K. Y. Shaikh for the applicant and Ld. APP Shri Y.S.Bhopi for the opponent State. Perused application, say filed by opponent State at Exh.5 and other material placed on record. Both the Ld. Advocates have made their respective submissions on the line of averments in the application and say respectively.

5] After giving thoughtful considerations to the rival submissions, I have gone through the medical report of Chief Medical Officer, Taloja Central Prison, Navi Mumbai. On perusal

of said medical report it appears that the applicant is suffering from diabetes mellitus with hypertension with bilateral cataract. He was referred to NMMC, Vashi Hospital on 29/11/2025 and SDH, Panvel on 22/12/2025 where he was examined, investigated and treated by Ophthalmologist and diagnosed as advanced cataract of both eyes. The doctor advised applicant to undergo eye surgery. Considering the said report it appears that the applicant needs both eyes cataract surgery, however, Chief Medical Officer has specifically stated in his report that the applicant will be referred to Sir J. J. Group of Hospital as per availability of police escort. As eye surgery of applicant can be done in Sir J.J. Hospital, Mumbai, likewise, post operative care can be provided to applicant in jail, I do not find that the applicant has made out case for temporary bail. Resultantly, I pass following order.

ORDER

1. The application stands rejected.
2. The Superintendent, Taloja Central Prison, Navi Mumbai is hereby directed to make an arrangement to refer the applicant forthwith to Sir J. J. Group of Hospital, Mumbai for eye surgery and to ensure that applicant will receive post operative care in jail.

Panvel
Date :- 24/03/2026

(S. R. Ugale)
Additional Sessions Judge,
Panvel.

CERTIFICATE

I affirm that, the contents of this P.D.F. file judgment/ order are same, word to word, as per the original Judgment.

Name of Stenographer : S. J. Sheth (Grade 1)
Dictation given on : 24/03/2026
Order signed by PO on : 24/03/2026
Order uploaded on : 24/03/2026