



**IN THE COURT OF ADDITIONAL SESSIONS
JUDGE AT PANVEL, DISTRICT- RAIGAD**

SESSIONS CASE NO.175/2023

The State of Maharashtra

--- Prosecution

Vs.

Monish Ashok Gharat

--- Accused

Corum - Santosh C. Shinde

Date - 26th June 2025

Appearance-

Ld. advocate Mr. Nityanand R. Thakur for accused.

Ld. Addl. P. P Mr. A. R. Kadam for the State of Maharashtra.

Order Below Exh.11

1. This is another bail application filed by accused for regular bail.
2. Notice was issued to State of Maharashtra. Say is filed at exh.14 and application is strongly objected.
3. Heard Ld. advocate Mr. Nityanand R. Thakur for accused & Ld. Addl. P. P. Mr. A. R. Kadam for the State.
4. Ld. advocate Mr. Nityanand. Thakur submitted that when accused had filed application before the Hon'ble Bombay High Court, it was directed that the accused can file bail application

after nine months. Accused is behind bars for 27 months and trial is not completed. No offense is committed by the accused. There is no need to keep him behind bars.

5. Ld. Advocate for accused has relied upon judgment of Hon'ble Supreme Court in **Maulana Mohd. Amir Rashdi Vs State of U.P [Cri. Appeal No.159/2012 decided on 16/1/2012]**, **Ayub Khan Vs. State of Rajasthan [AIR 2025 Sc 419]** & **Prabhakar Tiwari Vs. State of U. P. [Cri. Appeal No.152/2020 decided on 24/1/2020]**, judgment of Hon'ble Delhi High Court in **K. Rajpandian Vs. State of NCT of Delhi [2022 SCC Online Del. 1315]**, judgment of Hon'ble Allahabad High Court in **Gajraj Yadav Vs. State of U. P. [Cri.B.A.No.46158/2024 decided on 18/12/2024]**, judgment of Hon'ble Punjab & Haryana High Court in **Paras Arora Vs. State of U. T. Chandigarh [2021 SCC Online P & H 2629]**. I have considered these citations at the time of deciding bail application.
6. Ld. Addl. P. P Mr. A. R. Kadam submitted that previous bail application of accused is rejected by this Court on merit. Thereafter, accused had filed bail application before the Hon'ble Bombay High Court but same was rejected therefore accused had approached to the Hon'ble Supreme Court but there also his application was rejected. Now charge is framed and case for evidence. Prosecution has given list of witnesses and ready to expedite the matter. There is no change in circumstance. Offence is serious in nature and accused may repeat the offense, if he is released on bail.
7. Perused charge-sheet & documents.

8. Record shows that before this application, accused had filed bail application for regular bail and that application was rejected on merit by order dated 28th December 2023. Thereafter, accused had filed bail application before the Hon'ble Bombay High Court but same was rejected. Order of the Hon'ble Bombay High Court was challenged by accused before the Hon'ble Supreme Court and by order dated 3rd March 2025, SLP No.1457/2025 filed by accused was rejected by the Hon'ble Supreme Court.
9. Present application is filed for reason that the Hon'ble Bombay High Court had given liberty to accused to apply afresh before the Trial Court after nine months. I have gone through the order of the Hon'ble Bombay High Court and in the said order it is observed that "liberty is granted to applicant to apply afresh before Trial Court after nine months, if there is no progress in trial."
10. If order of the Hon'ble Bombay High Court is considered the same was passed on 5th September 2024 and thereafter if progress of trial is considered then on various occasions on oral submissions of accused & advocate, time was given to accused for reason that bail is pending before the Hon'ble Supreme Court. On 5th May 2025, charge has been framed against accused. Today, prosecution has filed list of witnesses & application u/s.94 of the CrPC. Ld. advocate for accused has received copy of witness list & application u/s.94 of the CrPC.
11. In previous bail application, reasons for rejecting bail are discussed in detail therefore, I will not repeat the facts & merits

as previous bail order is self-explanatory. Now, case is for evidence and prosecution is ready to expedite the case. There is no change in circumstance. Application is devoid of any merit and same is liable to be dismissed. As a result, I pass following order.

ORDER

1. Application is rejected.
2. Registry is directed to inform accused about this order by e-mail.

(Application is disposed of accordingly)

Panvel
Date - 26/06/2025

(S. C. Shinde)
Addl. Sessions Judge, Panvel,
Dist.-Raigad