

IN THE COURT OF ADDL. SESSIONS JUDGE, SOLAPUR.  
(Presided over by Shri.PPRajvaidya)

CRIMINAL BAIL APPLICATION NO.121/2026.  
(CNR No.MHSO01-000399-2026)

Kiran Dayanand Chitale

}...APPLICANT.

**Versus**

State of Maharashtra

}...OPPONENT.

ORAL ORDER

(Passed on 13/03/2026)

1. This is an application for grant of regular bail in Crime No.177/2024 registered at P.S. Solapur Taluka for offences punishable under Sections 364-A r/w Section 34 of Indian Penal Code.

2. Read the application and say. Heard learned Adv. Shri. Chingunde for the applicant/accused and learned APP Smt. Deshpande for the prosecution. Perused the entire record.

3. Allegations in the FIR, in brief, are as under;

When informant was chitchatting with his friends in front of Khandoba Mandir of village Bibidarfal on 21/03/2024 at about 8.00 pm, his friend Harish Rochkari along with Rohit Pawar came near the informant by gray coloured Mahindra Thar vehicle. Harish Rochkari inquired at the informant as to why the informant is not receiving his phone calls and when will the informant give his money on which, informant suggested that they will go to hotel for dinner. Informant along with Harish Rochkari went by Creta Car of the informant to Satbara Hotel. Rohit Pawar went there by his unnumbered Mahindra Thar. Unknown 4-5 others arrived there by white Ciaz car. Rohit Pawar and those 4-5 unknown persons assaulted the informant by fists and kicks. Harish Rochkari took out mobile and key from the informant. Thereafter, those unknown persons forcibly took the informant to the

jungle in white Ciaz car. Harish Rochkari arrived there by Creta car of the informant. Rohit Pawar also came there in Mahindra Thar car. All of them raised abuses at the informant there, removed all his clothes and assaulted him by fists, kicks and belt on his buttocks, back, thighs, hands, face, eyes etc.. All of them thereafter took the informant to a Lodge at 12.00 midnight and detained him there. On the way, Rohit Pawar withdrew Rs.40,000/ to Rs.45,000/- from account of the informant from ATM. All those persons had made the informant to sleep on the Lodge with two unknown persons. Harish Rochkari and Rohit Pawar went to said Lodge on 22/03/2024 at about 10.00 a.m., both of them along with two other unknown persons assaulted the informant by fists and kicks by giving threat of being killed and by giving a mobile call to the wife of informant, they asked the informant to tell his wife to arrange for Rs.10,00,000/-. Harish Rochkari threatened the informant of being killed by digging a pit by JCB machine and switched off the mobile of informant. Rohit Pawar transferred Rs.15,000/- from Phonepe App of informant on mobile No.9284732694. They thereafter took the informant to another Lodge at Tuljapur at 10.00 p.m. and by making the informant to sleep there with two unknown persons, Harish and Rohit Pawar went away. Both of them again returned to said Lodge on 23/03/2024 at about 11.00 a.m. and made the informant to tell his wife by giving mobile call that he will not be allowed to go unless the amount is paid. Wife of informant told that time that she will give the amount by cheque near Zilla Parishad Solapur and if the informant is not made free, she will lodge report with the police hence Harish Rochkari, Rohit Pawar and other 4-5 persons took the informant near Z.P. Office at about 5.45 p.m. where, wife and relative Sathe of the informant were present. Wife of

the informant handed over two cheques of Rs.2 Lakh each and one cheque of Rs.3 Lakh to Harish Rochkari after which, all accused persons went away therefrom. Wife of the informant noticed scars on the body of the informant on next day on 24-03/2024 when informant was taking bath after which, informant narrated her about the beating and threats given to him by the accused persons. Informant thereafter lodged report at PS. Solapur Taluka on 24-03/2024. Besides the above allegations, informant has also alleged in FIR that he was kidnapped by Harish Rochkari, Rohit Pawar and 4-5 others and they have threatened him that they will return back his Creta car only after the cheques are honoured.

4. On the basis of the report as above by the informant, crime No.177/2024 for offences punishable under Sections 364(A), 34 of Indian Penal Code came to be registered at PS Solapur Taluka. Involvement of applicant/accused is revealed from CCTV footage.

5. Learned Advocate for applicant/accused argued that name of applicant/accused is not available in FIR, applicant/accused is falsely implicated in the present matter, applicant/accused is under detention since 09/02/2026, nothing has remained to be seized in connection with the crime, main accused Harish Rochkari and other co-accused persons are already enlarged on regular bail by the Sessions Court, supplementary charge-sheet against the applicant/accused is already filed in the court of learned JMFC hence, now it is not necessary to detain the applicant/accused behind bars any further. He argued that applicant/accused is ready to abide by all the conditions which may be imposed by this Court hence, applicant/accused may be enlarged on bail.

6. As against this, learned APP argued that allegations levelled against the applicant/accused are serious in nature, applicant/accused along with the co-accused persons was involved in commission of serious crime of kidnapping the informant for ransom, CCTV footage is collected by the investigating agency which shows the role played by the applicant/ accused in commission of the crime and if enlarged on bail, there is every likelihood that applicant/accused will tamper with the prosecution evidence by pressurizing the witnesses due to which, applicant/accused is not entitled for bail even though supplementary charge-sheet is filed.

7. I have gone through the FIR, contents of which, are already reproduced herein above. Legal position which emerges from the ratio laid down in the authorities cited at the bar by learned Advocate for the applicant/accused may be stated to be that power to grant bail is not to be exercised as if punishment before trial is being imposed, the only material considerations in such a situation are whether the accused would be readily available for his trial and whether he is likely to abuse the discretion granted in his favour by tampering with the evidence.

8. Here, in the matter in hands, admittedly, name of applicant/accused is not available in FIR. His involvement in the crime is revealed from the CCTV footage collected by the investigating officer. Charge-sheet was filed against co-accused Harish and few others by showing the applicant/accused as absconding. Now, supplementary charge-sheet is filed against applicant/accused. Admittedly, main accused Harish and two other co-accused persons are already enlarged on bail by this Court. Perusal of supplementary charge-sheet shows that there are allegations that applicant/accused with the help of other accused persons had kidnapped the informant for ransom. It appears from the allegations leveled in FIR that informant owed some money to co-accused Harish Rochkari and for

recovery of the said amount, informant was kidnapped with the help of the applicant/accused and others. It is not in dispute that co-accused Harish Rochkari is already enlarged on regular bail by order dated 22/05/2025 after filing of charge-sheet.

9. It is true that applicant/accused was shown as absconding in the said charge-sheet however, it does not appear to be in dispute that after effecting arrest of applicant/accused, investigating officer has now filed supplementary charge-sheet against the applicant/accused in the court of learned JMFC. Apparently, investigation of the crime qua applicant/accused is now over. Applicant/accused is under detention since 09/02/2026. It is not the contention of the prosecution that anything has remained to be recovered from the applicant/accused in connection with the crime. There are no allegations that applicant/accused had demanded any amount at the informant for himself. As mentioned above, it appears that informant was kidnapped for recovery of the amount of co-accused Harish from which, it can be said at this stage that the kidnapping was at the instance of co-accused Harish Rochkari who is already enlarged on bail.

10. Further investigation of the crime qua applicant/accused is carried out and completed by filing supplementary charge-sheet against applicant/accused hence, rule of parity can be applied in these circumstances while considering the prayer for bail made by applicant/accused. There is no propriety to keep the applicant/accused behind bars any further as, it will take its own time to take up the matter for trial because, the supplementary charge-sheet filed before learned JMFC is yet to be committed to the Sessions Court. Having regards to those aspects, this Court is of the opinion that applicant/accused can be enlarged on bail. So far as the anxiety expressed by learned APP that applicant/accused will tamper with prosecution evidence is concerned, it can be taken care of by

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imposing suitable conditions on him while directing his release on bail.  
Thus, an order.

ORDER 121/2026

(a) Criminal Bail Application No. ~~1403/2025~~ is allowed.

(b) Applicant/accused Kiran Dayanand Chitale be enlarged on bail in Crime No.177/2024 registered at P.S. Solapur Taluka for offences PUS 364-A rws 34 of IPC on his executing PR bond in the sum of Rs.1,00,000/- with one or more solvent sureties in the like amount.

(c) Applicant/accused shall not tamper with the prosecution evidence in any manner.

(d) Applicant/accused shall make himself available for interrogation purposes as & when required by the Investigating Officer.

(e) Applicant/accused shall not directly or indirectly make any inducement, threat or promise to the informant or any person acquainted with the facts of the case so as to dissuade him from disclosing the facts of the case to the Court or to the police officers.

(f) Applicant/accused shall submit copy of his Aadhar Card or PAN Card or Driving License as his ID proof.

Applicant/accused shall attend P.S. Solapur Taluka on every Sunday in between 11.00 am to 1.00 pm for a period of two months from today.

Bail before concerned Learned JMFC Court.

Date : 13/03/2026.

  
(P.P. Rajvaidya)  
Addl. Sessions Judge,  
SOLAPUR.

Note - Correction in case No. from "1403/2025" to "121/2026" in clause (a) of operative order is made as per order below Esh!

  
17-03-26