



Sessions Case No. 219/2022
(CNR No. : MHPU14-003515-2022)

State of Maharashtra
Vs.
Vikas Singh

ORDER BELOW EXH. 14

1. This bail application is filed by the applicant/accused **Vikas Deepak Singh** under Section **439** of Cr.P.C. to release him on regular bail, in connection with Crime No. 283/2022, registered at Police Station, Baramati Taluka, Dist. Pune for the offence punishable under Sections **302, 323, 504** of the Indian Penal Code.

2. It is case of prosecution that, first informant Raghu Suresh Surwase lodged his report to the police station alleging that, he runs a hotel, by name, “Matoshree Macchi Khanaval” at MIDC road, Baramati. Present accused and deceased Raju Patil were working in the said hotel as chef in Tandoor and Non-veg department respectively. On **12/03/2022** at about **02.00** p.m. there was quarrel in between accused and deceased on account of not to enter in Non-veg department of deceased by the accused. Due to which, accused got angry and that time he abused the deceased and thereafter, he assaulted him by kick and fist blows and then, in anger, accused inflicted blows of knife on the person of deceased Raju Patil. In the said assault, deceased Raju Patil caused bleeding injury and died on the spot. Thereafter, said information about assault was given to the first informant and then he lodged said report against the accused.

3. According to the applicant/accused, he is permanent

resident of 24 Mandi, Chandigarh, Punjab and presently he is residing at Amrai, Baramati, Dist. Pune and he is supporting his family by working as a chef in the said hotel. He has not committed the alleged offence. The said report has been lodged only on misunderstandings and hear say. As the police could not find the real accused, the accused has been deliberately implicated in this crime. Applicant further submits that, he is ready to abide all terms and conditions if any imposed by this Court. At last, applicant/accused has prayed for releasing him on bail.

4. On the other hand, the learned APP for State has filed say on record and strongly opposed the present application on the ground that, present applicant/accused has committed very serious nature of offence. Applicant/accused inflicted blows of knife on the person of deceased Raju Patil and due to which he succumbed to injuries and died on the spot. Accused brutally murdered the deceased on account of petty quarrel. He is directly involved in this crime. In such situation, if applicant/accused released on bail, then possibility of tampering the investigation and pressurizing the witnesses cannot be ruled out. At last, learned APP prayed for rejection of this application.

5. Read application, and reply given by learned APP for State. Heard both the sides at length. Perused the record.

6. On perusal of record it reveals to me that, applicant/accused is charged for the offence punishable under Sections 302, 323, 504 of the Indian Penal Code. Record prima facie clearly shows that, applicant/accused committed murder of deceased Raju

Patil by giving blows of knife over his stomach, chest and cheek. Here looking the serious nature of offence committed by the applicant/accused in the spur of anger and gravity of offence, in such situation even after filing of charge-sheet, this is not a fit case to use discretion in the favour applicant/accused. Though the Investigating officer has filed charge-sheet, however considering the nature of offence and the direct evidence available on record against present applicant/accused, I am not inclined to allow the application and proceed to pass following order.

ORDER

1. The bail application (Exh.14) is rejected.
2. Intimate to the concerned police station.
3. The application (Exh.14) is accordingly disposed of.

Baramati.
Date : 25/09/2024.

[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 :- 25/09/2024

Order checked & signed
by presiding officer on :- 27/09/2024

Order uploaded on :- 27/09/2024.