

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 543 OF 2021

WITH

INTERIM APPLICATION NO. 1065 OF 2024

Walmik @ Santosh Govind Pawar .. Appellant

V/s.

The State of Maharashtra .. Respondent

Ms. Payoshi Roy, a/w Adv. Hasan Nizami, i/b Dr. Yug Mohit Chaudhary, for
the Appellant.

Ms. S. S. Kaushik, APP for Respondent-State.

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CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.

DATE : 24TH FEBRUARY 2026.

PC:

1. In this application on 16th February 2026, we had taken on record a report dated 5th February 2025 submitted by the Medical Officer, Regional Mental Hospital, Nagpur. The said report records that the applicant was found to be "fit for discharge." The said report was forwarded by the Superintendent of Jail as per letter dated 11th February 2025.

2. Perusal of the contents of the report and the forwarding letter indicates that the applicant was found to be fit for discharge from the

mental hospital, but we are really concerned with the question as to whether the applicant is fit to intermingle in the society if the bail application is allowed. We are also concerned with the manner in which the applicant could be taken care of, during the time he is released on bail pending hearing of the appeal.

3. The learned counsel appearing for the applicant submits, on instructions, that the sister of the applicant is ready to take care of the applicant in the event he is released on bail. During the course of arguments, it was also submitted on behalf of the applicant that he was not required to take any medicine for the ailment of psychosis for the past about two years. The said statement is made on instructions of the applicant.

4. In view of the above, it would be appropriate that report is submitted by the police verifying the claim made by the sister of the applicant that she would be able to take care of him if he is released on bail. The jail authorities shall also place before this Court the facts pertaining to the medication given to the applicant during his period in jail and as to whether said medication was discontinued in the light of his improved condition and if so, the time period for which the medicine was discontinued.

5. The sister of the applicant shall file an affidavit stating that she would be taking care of the applicant, in the event he released on bail, giving the details of her residence, etc. Such an affidavit would be placed on record within two weeks from today.
6. Upon a copy of the affidavit being served upon the learned APP, the police shall conduct verification and submit its report as indicated hereinabove within a further period of two weeks.
7. List this application along with the appeal for further consideration on 27th March 2026, 'High on Board.'

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)