



ITEM NO.2

COURT NO.7

SECTION II-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G SPetition for Special Leave to Appeal (Crl.) No.1234/2026

[Arising out of impugned final judgment and order dated 09-12-2025 in CRA No. 497/2025 passed by the High Court of Judicature at Bombay at Nagpur]

KUNAL RAMESH KAKDE

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA &amp; ANR.

Respondent(s)

(FOR ADMISSION and I.R.)

(IA No. 21149/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT &amp; IA No. 21148/2026 - EXEMPTION FROM FILING O.T.)

Date : 23-02-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) : Mr. Abhinav Shrivastava, AOR  
Mr. Amit Band, Adv.  
Ms. Unnati Vaibhav, Adv.  
Ms. Barkha Agrawal, Adv.  
Ms. Divya Rai, Adv.

For Respondent(s) :

Mr. Aaditya Aniruddha Pande, AOR  
Mr. Siddharth Dharmadhikari, Adv.  
Mr. Shrirang B. Varma, Adv.  
Mr. Bharat Bagla, Adv.  
Mr. Sourav Singh, Adv.  
Mr. Aditya Krishna, Adv.  
Mr. Adarsh Dubey, Adv.  
Ms. Chitransha Singh Sikarwar, Adv.

Mr. Randhir Kumar Ojha, AOR

UPON hearing the counsel the Court made the following  
O R D E R

1. Exemption Applications are allowed.

2. The petitioner has been denied regular bail by the High Court in connection with Crime No. 142/2025 registered with Police Station - Kuhi, District Nagpur (Maharashtra), for the offence punishable under Sections 140(1), 103(1) and 61 (2) (a) respectively of the Bharatiya Nyaya Sanhita, 2023 (for short, the "BNS", 2023) and Sections-3(2) (v) and 3(2) (va) respectively of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. We heard Mr. Abhinav Shrivastava, the learned counsel appearing for the petitioner, Mr. Aaditya Aniruddha Pande, the learned counsel appearing for the State of Maharashtra and Mr. Randhir Kumar Ojha, the learned counsel appearing for the de-facto complainant.

4. We take notice of the fact that in all, 7 accused persons came to be arrested in connection with the alleged crime. Out of 7 accused, 2 are juvenile accused persons. Out of 5 adult accused persons, 3 have been enlarged on bail.

5. We are informed that the charge has been framed in recent past. As on date, not a single witness has been examined.

6. The entire case hinges on circumstantial evidence. The prosecution seeks to rely upon two pieces of incriminating circumstances, i.e., (i) last seen together and (ii) discovery of the weapon of offence.

7. Having regard to the materials on record, we are of the view that we should exercise our discretion in favour of the petitioner so far as the plea for bail is concerned.

8. We direct that the petitioner be released on bail forthwith, subject to terms and conditions that the Trial Court may deem fit to impose

9. With the aforesaid, this Special Leave Petition stands disposed of.

10. Pending applications, if any, also stand disposed of.

(VISHAL ANAND)  
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)  
COURT MASTER (NSH)