



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. /2026
[ARISING OUT OF SPECIAL LEAVE PETITION (CRL.) Nos.2953/2026]

RUSHIKESH @ GATALU FAKIRA DHONDE ...Appellant(s)

VERSUS

THE STATE OF MAHARASHTRARespondent(s)

O R D E R

1. Leave granted.
2. Heard learned counsel for the parties.
3. This appeal arises from an order dated 14.10.2025 passed by the High Court of Judicature at Bombay rejecting the regular bail prayer of the appellant in connection with FIR No.260/2023 registered at Mhasrul Police Station, Nashik, Maharashtra.
4. At the outset, the learned counsel for the appellant submits that the role of causing fatal injury to the deceased (i.e., of stabbing the deceased) is attributed to co-accused - Atharva whereas the appellant was just noticed fleeing from the spot. Besides, no motive for the crime is attributed to the appellant. In such circumstances, as the appellant has already suffered pending trial incarceration for a period

exceeding two years, he is entitled to be released on bail.

5. The Learned counsel for the State has opposed the prayer of bail but could not dispute that the role of causing stab wound injury is attributed to co-accused. Besides, he has also not been able to dispute that the appellant has suffered incarceration for a period exceeding two years.

6. Having regard to the above, without expressing any opinion on the merits of the prosecution case, we are of the view that the appellant is entitled to be released on bail at this stage. Consequently, the order of the High Court rejecting the bail prayer of the appellant is set aside.

7. The appeal is, accordingly, allowed. The appellant shall be released on bail on such terms and conditions as the trial court may deem fit to impose in the facts and circumstances of the case.

8. Pending application(s), if any, shall stand disposed of.

.....J
[MANOJ MISRA]

.....J
[K. VINOD CHANDRAN]

New Delhi
April 01, 2026

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSPETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO.2953/2026

[Arising out of impugned final judgment and order dated 14-10-2025 in CRLBA No. 861/2025 passed by the High Court of Judicature at Bombay]

RUSHIKESH @ GATALU FAKIRA DHONDE

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

IA No. 44303/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 44305/2026 - EXEMPTION FROM FILING O.T.

Date : 01-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA

HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :Mr. Kaustubh Dube, Adv.
Mr. Gaurav Shukla, Adv.
Mr. M. Venkatesulu, Adv.
Mr. Harshad Rathod, Adv.
Mr. Ashish Jacob Mathew, Adv.
Mr. Achin Sondhi, Adv.
Ms. Ashruta Singh, Adv.
Mr. Sudhanshu Singh, Adv.
Mr. Sanjay Kumar Visen, AOR

For Respondent(s) :Mr. Shrirang B. Varma, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR

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

1. Leave granted.

2. The appeal is allowed in terms of the signed order which is placed on the file. The operative portion of the signed order is as under:

"6. Having regard to the above, without expressing any opinion on the merits of the prosecution case, we are of the view that the appellant is entitled to be released on bail at this stage. Consequently, the order of the High Court rejecting the bail prayer of the appellant is set aside.

7. The appeal is, accordingly, allowed. The appellant shall be released on bail on such terms and conditions as the trial court may deem fit to impose in the facts and circumstances of the case."

3. Pending application(s), if any, shall stand disposed of.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)