

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 S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 18321/2026

[Arising out of impugned final judgment and order dated 19-12-2025 in CRLA No. 761/2025 passed by the High Court of Judicature at Bombay at Aurangabad]

KRUSHNA CHHAGAN GAIKAWAD

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

IA No. 102767/2026 - CONDONATION OF DELAY IN FILING

IA No. 102766/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 114322/2026 - EXEMPTION FROM FILING O.T.

IA No. 102768/2026 - EXEMPTION FROM FILING O.T.

IA No. 114320/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 11-05-2026 This matter was called for hearing today.

CORAM : HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) :Mr. Manish Tiwari , AoR
Mr. Manish Tiwari, Adv.
Mr. Gaurav Suryawanshi, Adv.
Mr. Rk Tanwar, Adv.
Mr. Ujjwal Kumar, Adv.
Mr. Rishabh Kumar T, Adv.

For Respondent(s) :Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AoR
Ms. Arunima Das, Adv.
Mr. Shrirang B. Varma, Adv.
Mr. Bharat Bagla, Adv.
Mr. Aditya Krishna, Adv.

O R D E R

Heard learned counsel for the parties.

2. Delay condoned.

3. Pursuant to our earlier order, the respondent No.1-State of

Maharashtra has filed a counter affidavit giving details of the other two cases in which the petitioner is an accused and also the nature of the said cases.

4. Learned counsel for the petitioner submitted that in the said two cases petitioner has already been granted bail and in the present case also the allegation is only with regard to inflicting a blow by a hard blunt substance on the calf, which is corroborated by the medical report of the said injured person. It was submitted that the medical report also indicates that the same was a simple injury and he is in custody for more than three years.

5. Learned counsel for the State of Maharashtra submits that the petitioner is a member of an extortionist gang and he is the person on the ground being the recovery man for the gang. It was further submitted that the Court may take note of the fact that only after getting bail in the earlier two cases, he committed a crime in the present case, which clearly indicates that he is not only a habitual offender, but is also prone to taking the law in his own hands and thereby violating the trust and the indulgence granted by the Court on the earlier two occasions while releasing him on bail.

6. Having considered the matter, we take note of the fact that the petitioner has been in custody for more than three years and we would also observe here that period of custody is a mitigating factor while considering subsequent bail applications. However, in the present case, going by the track record and the facts and circumstances, as also the material on record, we find that this alone would not be a ground for this Court to grant indulgence to the petitioner, at this stage.

7. Accordingly, the petition stands dismissed.

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

(SACHIN KUMAR SRIVASTAVA)
COURT MASTER (SH)

(ANJALI PANWAR)
ASSISTANT REGISTRAR