



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO. 2894 /2023
[@ SLP [CRL.] NO.4285/2023]**

DHIRAJ PRALHADRAO GAWANDE

Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

WITH

CRIMINAL APPEAL NO.2895 /2023

[@ SLP(Cr1) No. 4286/2023]

O R D E R

Leave granted.

We have heard learned counsel for parties.

We are informed that the two other eye witnesses have reported to the Court but did not want to depose *albeit* on account of perceived threat by reason of the other accused being enlarged on bail as is submitted by learned counsel for the State.

A perusal of the FIR shows that there is a role of using chairs to attack the deceased which is common to a number of accused. The role assigned to Vikram alias Chhotu Shriram Gawande and Ranjit Shriram Gawande are different as Vikram attacked the head of the deceased and continued to do so with a cylinder, Ranjit attacked the face and thighs with an iron stand and thus, these two stand on a different footing. We are informed that now official witnesses have to be examined.

In view of the aforesaid facts and circumstances, we grant bail to the appellants on terms and conditions to the satisfaction of the trial Court.

As has been pointed out to us that in respect of the other accused enlarged on bail, the High Court had imposed a condition that they would not enter the territorial jurisdiction of Akola Municipal Council except when the dates of the case are fixed. Apart from any other condition to be specified by the trial Court, this condition shall be binding.

The appeals accordingly stand disposed of.

.....J.
[SANJAY KISHAN KAUL]

.....J.
[SUDHANSHU DHULIA]

NEW DELHI;
SEPTEMBER 18, 2023.

ITEM NO.2

COURT NO.2

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (CrI.) No(s). 4285/2023

(Arising out of impugned final judgment and order dated 28-11-2022 in CRLA(BA) No. 542/2022 passed by the High Court Of Judicature At Bombay At Nagpur)

DHIRAJ PRALHADRAO GAWANDE**Petitioner(s)****VERSUS****THE STATE OF MAHARASHTRA
(BAIL MATTERS)****Respondent(s)****WITH****SLP(CrI) No. 4286/2023 (II-A)****Date : 18-09-2023 These petitions were called on for hearing today.****CORAM :**

**HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE SUDHANSHU DHULIA**

For Petitioner(s) Mr. Nidesh Gupta, Sr. Adv.
Ms. Sitwat Nabi, Adv.
Dr. Manoj Gorkela, Adv.
Ms. Indira Goswami, Adv.
Mr. Adutiya Veer, Adv.
Mr. Abhishek Kushwaha, Adv.
Raina Anand, Adv.
Ms. Riyal Suryawanshi, Adv.
Mr. Ankit Srivastava, Adv.
M/S. Gorkela Law Office, AOR

For Respondent(s) Mr. Aaditya Aniruddha Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Rohit Anil Rathi, AOR
Mr. Narendra Dhoot, Adv.
Ms. Diviani Verma, Adv.
Mr. Keshav Sehgal, Adv.
Mr. Yashas RK, Adv.

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

Leave granted.

The appellants are granted bail on terms and conditions to the satisfaction of the trial Court.

The appeals stand disposed of in terms of the signed order.

Pending application, if any, stands disposed of.

**(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS**

**(POONAM VAID)
COURT MASTER (NSH)**

[SIGNED ORDER IS PLACED ON THE FILE]