



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 372 OF 2023
(Arising out of SLP(Crl.) No. 2134 of 2022)

NILESH SHYAM NANCHE

Appellant(s)

VERSUS

STATE OF MAHARASHTRA & ANR.

Respondent(s)

ORDER

Leave granted.

Heard learned counsel for the appellant, the State and the complainant.

The plea for anticipatory bail of the appellant has been rejected by the High Court on 22.02.2022 and the said rejection order is under appeal before us. The allegation against the appellant, as is revealed from the materials before us, is that he had spoken about his intention to commit murder of the informant to another individual and sought to hire the latter for that purpose. There is no other overt or covert act attributed to the appellant at this stage.

Learned counsel for the State has apprised us that the appellant has been cooperating with investigation and attending the police station on regular basis.

In such circumstances, we do not think custodial interrogation of the appellant is necessary on the basis of the materials disclosed before us. We, accordingly, set aside the impugned order. We also direct that the appellant, if arrested in connection with the case arising out of FIR No. 07 of 2022, lodged with Tilak Nagar

Police Station, Mumbai, State of Maharashtra, he shall be released on bail on such terms and conditions the Trial Court may consider fit and proper.

We, however, direct that one of the conditions to be imposed shall be that the appellant shall attend the police station every alternate day and otherwise cooperate with the investigating agency.

The appeal is allowed in the above terms.

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

.....J.
[ANIRUDDHA BOSE]

.....J.
[SUDHANSHU DHULIA]

NEW DELHI;
FEBRUARY 08, 2023.

ITEM NO.12

COURT NO.11

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 S

Petition(s) for Special Leave to Appeal (Crl.) No. 2134/2022

(Arising out of impugned final judgment and order dated 22-02-2022 in ABA No. 388/2022 passed by the High Court Of Judicature At Bombay)

NILESH SHYAM NANCHE

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ANR.

Respondent(s)

(IA No. 33279/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 33281/2022 - EXEMPTION FROM FILING O.T.)

Date : 08-02-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIRUDDHA BOSE
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Sanjay Kharde, Adv.
Ms. Shwetal Shepal, Adv.
Mr. Rahul Chitnis, Adv.
Mr. Chander Shekhar Ashri, AOR

For Respondent(s) Mr. Anand Dilip Landge, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Ms. Kirti Dadheech, Adv.

Mr. Jugul Kishor Gupta, AOR

Mr. Anand S. Jondhale, Adv.
Mr. Satyanarayana Raju Pyla, Adv.
Ms. Sunita Verma, Adv.

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

Leave granted.

The order impugned is set aside and if the appellant is arrested in connection with the case arising out of FIR No. 07 of

2022, lodged with Tilak Nagar Police Station, Mumbai, State of Maharashtra, he shall be released on bail on such terms and conditions, the Trial Court may consider fit and proper.

Accordingly, the appeal is allowed in terms of the signed order.

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

(SNEHA DAS)
SENIOR PERSONAL ASSISTANT

(Signed order is placed on the file)

(KAMLESH RAWAT)
COURT MASTER (NSH)