

ITEM NO.14                      Court 3 (Video Conferencing)                      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 (Crl.) No(s). 3112/2020

(Arising out of impugned final judgment and order dated 11-02-2020 in CRLBA No. 369/2019 passed by the High Court Of Judicature At Bombay)

SUJIT MANOHAR NALAWADE

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.62118/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.62119/2020-EXEMPTION FROM FILING O.T., IA No. 102919/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 66992/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 26-10-2020 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN  
 HON'BLE MR. JUSTICE NAVIN SINHA  
 HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Mahesh Jethmalani, Sr .Adv.  
 Mr. Sameer Kumar, AOR  
 Mr. Shah Rukh Ahmad, Adv.  
 Siya Chaudhry, Adv.

For Respondent(s) Mr. Rahul Chitnis, Adv.  
 Mr. Sachin Patil, AOR  
 Mr. Geo Joseph, Adv.  
  
 Mr. D.N.Ray, Adv.  
 Mr. Sanjay More, Adv.  
 Mr. Lokesh Kumar Chaudhary, Adv.  
 Mr. Dillip Kumar Nayak, Adv.  
 Ms. Disha Ray, Adv.  
 Mrs. Sumita Ray, AOR

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

We have heard Mr. Mahesh Jethmalani, learned Senior Counsel for the petitioner, Mr. Rahul Chitnis, learned counsel for the State of Maharashtra and Mr. D.N. Ray, learned counsel for the Caveator, and have gone through the eye-witness statements as to the conspiracy, together with the fact that there are four criminal

**cases referred to in the counter affidavit of the State in which acquittal is only in one of them, these cases being:**

Sr.No.	Police Station	C.R. No. & Section	Status
1	Vishnunagar Police Station, Thane	I-139/2008 Sections 134, 147, 148, 149, 326, 324, 323, 504, 506(2) of IPC	Course Case No. 583/2008, Court Pending
2	Vishnunagar Police Station,	I-192/2010 Sections 143, 147, 149, 324, 504, 506, 353 of IPC	Course Case No. 61/2011, Acquitted
3	Vishnunagar Police Station,	208/2012 Sections 420,, 467, 468,471, 34 of IPC	Course Case No. 461/2012, Court Pending
4	Vishnunagar Police Station,	Cr.P.C. 110 (E) (G) 07.12.2012	Preventive Action taken

**We are of the view that the petitioner ought to be enlarged on bail subject to the usual conditions to be imposed by the trial Court. This is also for the reason that the maximum sentence that can be imposed upon the petitioner under Section 120-B read with Section 115 is 7 years - the petitioner has already undergone more than 2 years and 10 months in jail. Consequently, the impugned judgment is set aside and the petitioner is directed to be released on bail immediately.**

**Learned counsel appearing on behalf of the State has pointed out that so far as accused No.7 is concerned, his role is similar and his bail application has been dismissed right up to this Court. We may only indicate that accused Nos. 7-9 are persons who are alleged to have hired contract killers accused Nos. 1-6 which is completely different from the role of an alleged intermediary which is what the petitioner accused No.8 is accused of.**

**The Special Leave Petition is disposed of.**

**Pending applications also stand disposed of.**

**(R. NATARAJAN)  
ASTT. REGISTRAR-cum-PS**

**(RENU KAPOOR)  
BRANCH OFFICER**