



ITEM NO.10

COURT NO.7

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 for Special Leave to Appeal (Crl.) No.7502/2026

[Arising out of impugned final judgment and order dated 17-03-2026 in CRBA No. 4/2026 passed by the HIGH COURT OF JUDICATURE CIRCUIT BENCH AT KOLHAPUR]

SAHIL MANOJ MACHARE

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

(IA No. 126516/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT & IA No. 126519/2026 - EXEMPTION FROM FILING O.T.)

Date : 04-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) :

Mr. Risvi Muhammed, Adv.

Mr. Sachin Jaysing Patil, Adv.

Ms. Vishnu Priya, Adv.

Mr. Sachin Patil, AOR

For Respondent(s) :

Mr. Bharat Bagla, Adv.

Mr. Aditya Pande, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Exemption Applications are allowed.
2. The petitioner has been denied regular bail by the High Court of Judicature at Bombay in connection with Crime No.322/2022 registered with Shahapur Police Station, District Kolhapur on 1-11-2022 for the offence punishable under Sections 302 read with Section 34 of the Indian Penal Code, 1860 (for short, "IPC") respectively.

3. We heard Mr. Risvi Muhammed, the learned counsel appearing for the petitioner and Mr. Bharat Bagla, the learned counsel appearing for the State of Maharashtra.

4. We take notice of the fact that the petitioner is in judicial custody since 1-11-2022. Although the charge came to be framed by the Trial Court in the year 2024, yet till this date not a single witness has been examined.

5. In such circumstances, referred to above, we are left with no other option but to say that the right of the accused to have a speedy trial as enshrined under Article 21 of the Constitution could be said to have been infringed.

6. We are mindful of the fact that the petitioner is charged with the offence of murder but time and again, we have said that howsoever serious the crime may be, if the right of speedy trial is infringed, then Court must consider the plea for bail appropriately.

7. Here is a case wherein past almost 4 years, the petitioner is in jail but not a single witness has been examined.

8. We order that the petitioner be released on bail forthwith, if not required in any other case, subject to terms and conditions that the trial court may deem fit to impose.

9. With the aforesaid, this petition stands disposed of.

10. Pending applications, if any, also stand disposed of.

(VISHAL ANAND)
DEPUTY REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)