

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION



CRIMINAL APPEAL No.2806/2025
(@Special Leave Petition (Crl.) No.5028/2025)

DEEPAK CHETAN GOKALANI

...Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA

...Respondent(s)

O R D E R

1. Leave granted.

2. This appeal impugns Order dated 04.02.2025 passed by the High Court of Judicature at Bombay in Bail Application No.4910 of 2024 rejecting the bail prayer of the appellant in connection with F.I.R. No.0301 dated 19.11.2020 registered at Police Station-Hill Line, Ulhasnagar, Thane.

3. We have heard learned counsel for the parties.

4. The contention of the learned counsel for the appellant is that prosecution case is based on circumstantial evidence; the appellant has remained in custody since 19.11.2020; charges were framed on 21.03.2024; there are 95 witnesses enlisted in the chargesheet but till date not even one has been examined. It is also contended that the other co-accused have been admitted to bail.

5. The learned counsel for the State has opposed the prayer for bail and has submitted that there is clinching evidence of CCTV footage against the appellant of being in close proximity of the shop on 16.11.2020 where the deceased was last seen alive;

CCTV footage further reveal that on 17.11.2020 a car came close to the shop; and on 19.11.2020 body was recovered from the Boot of that car at the pointing out of the applicant.

6. In response, the learned counsel for the appellant submits that the CCTV footage does not indicate that the deceased and applicant were together; the car from where recovery is shown on 19.11.2020 is not owned by the applicant; the applicant has been falsely implicated.

7. Be that as it may, having regard to the nature of the evidence and the fact that the appellant has suffered incarceration of over four and a half years pending trial, while bearing in mind that there is no likelihood of the trial being concluded in the near future, without expressing any opinion on the merits of the case, we are of the view that the appellant is entitled to be released on bail. The appeal is, therefore, allowed. The impugned order rejecting the bail prayer of the appellant is set aside. The appellant shall be released on bail on such conditions as the Trial Court deem fit to impose.

....., J.
(MANOJ MISRA)

....., J.
(PRASANNA B. VARALE)

NEW DELHI;
MAY 23, 2025.

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.5028/2025

[Arising out of impugned final judgment and order dated 04-02-2025 in BA No.4910/2024 passed by the High Court of Judicature at Bombay]

DEEPAK CHETAN GOKALANI

Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

IA No. 83957/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 23-05-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Appellant(s) : Ms. Sana Raees Khan, Adv.
Mr. Dhawesh Pahuja, AOR

For Respondent(s) : Ms. Rukhmini Bobde, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Ms. Soumya Priyadarshinee, Adv.
Mr. Vinayak Aren, Adv.
Mr. Amlaan Kumar, Adv.
Mr. Jatin Dhamija, Adv.
Mr. Naveen Kumar Bhardwaj, Adv.

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

1. Leave granted.
2. The Appeal is allowed.
3. Pending application(s), if any, shall stand disposed of.

(VIJAY KUMAR)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)

(Signed Order placed on the file)