



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

**CRIMINAL APPEAL NO. \_\_\_\_ OF 2024  
[arising out of SLP (Crl.) No. 16042/2024]**

**PRADEEP PANDURANG MANE**

**Appellant**

**VERSUS**

**THE STATE OF MAHARASHTRA**

**Respondent**

**ORDER**

1. Leave granted.
2. The High Court of Bombay by the impugned judgment and order dated April 16, 2024 has rejected the appellant's prayer for bail.
3. The appellant figures as an accused in FIR No. 517/2016 dated December 29, 2016 registered with Police Station Akluj, Solapur Rural, Maharashtra. It is alleged in the FIR that the appellant committed offence(s) punishable under Section(s) 307 and 34 of the Indian Penal Code, 1860 and Section 3(25) of the Arms Act, 1959.
4. It is not in dispute that the appellant has been behind bars since April 23, 2017 in relation to the alleged incident of attempt to murder, yet, the charges have not been framed till date.
5. A co-accused has been granted bail. The High Court denied parity holding that the appellant is the main assailant and the gang leader and that he has criminal antecedents.

6. We are informed that the appellant has been involved in six other cases. However, he has been acquitted in two cases and the judgment is reserved in one other case. Insofar as the other three cases are concerned, two cases are triable by the Magistrate while the other is triable by the Sessions and the appellant is on bail in all the said three cases.

7. We have failed to comprehend as to why the charges could not be framed and trial commenced by the Sessions Court till now. It has been almost seven and a half years that the appellant has been languishing in jail.

8. An accused cannot be kept behind bars indefinitely. Keeping an accused behind bars and without trying him for the offence alleged against him, for long, itself is in breach of the procedure established by law and amounts to a punishment invading the right to life of such an accused.

9. In such view of the matter, i.e., the long incarceration of the appellant, non-framing of charges and the prospect of imminent conclusion of the trial being bleak, we are of the considered opinion that he may be admitted to an order for bail.

10. Accordingly, the impugned judgment and order is set aside.

11. The appellant shall be released on bail, subject to such terms and conditions as may be imposed by the trial court.

12. We clarify that the observations made in this order and grant of bail will not be treated as findings on the merits of the case.

13. The appellant shall, however, appear before the trial court on the dates fixed, unless exempted; and should the appellant fail to appear on any date without justifiable cause or breaches any of the terms and conditions for grant of bail, the trial court shall be at liberty to cancel the bail.

14. The appeal is, accordingly, allowed on the aforesaid terms.

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

.....J.  
[DIPANKAR DATTA]

.....J.  
[PRASHANT KUMAR MISHRA]

**New Delhi;  
December 13, 2024.**

ITEM NO.4

COURT NO.16

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**

**Special Leave to Appeal (Crl.) No(s). 16042/2024**

**[Arising out of impugned final judgment and order dated 16-04-2024 in BA No. 1496/2022 passed by the High Court of Judicature at Bombay]**

**PRADEEP PANDURANG MANE**

**Petitioner(s)**

**VERSUS**

**THE STATE OF MAHARASHTRA**

**Respondent(s)**

**IA No. 227887/2024 - CONDONATION OF DELAY IN FILING**  
**IA No. 227888/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT**  
**IA No. 227889/2024 - EXEMPTION FROM FILING O.T.**  
**IA No. 227890/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/ FACTS/ ANNEXURES**

**Date : 13-12-2024 The matter was called on for hearing today.**

**CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA**  
**HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA**

**For Petitioner(s)** Mr. Sachin Patil, AOR  
Mr. Sandeep Magar, Adv.  
Mr. Geo Joseph, Adv.  
Mr. Risvi Muhammed, Adv.  
Mr. Rishabh Agarwal, Adv.

**For Respondent(s)** Mr. Shrirang B. Varma, Adv.  
Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya Aniruddha Pande, AOR

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

1. Leave granted.
2. The appeal is allowed in terms of the signed order.
3. Pending application(s), if any, stand disposed of.

(JATINDER KAUR)  
P.S. to REGISTRAR

(SUDHIR KUMAR SHARMA)  
COURT MASTER (NSH)

[Signed order is placed on the file]