



38. BA 1007-25 & IA 2292-26.odt

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1007 OF 2025
WITH
INTERIM APPLICATION NO. 2292 OF 2026

Renuka Nikhil Khanna @ Jakhar

.. Applicant

Versus

State of Maharashtra

.. Respondent

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- Mr. Satyam Harshad Nimbalkar a/w Mr. Harshwardhan M. Pawar i/by Mr. Abhishek Ulhas Arote, Advocates for Applicant
- Ms. Sangeeta E. Phad, APP for State
- Mr. Riyaz Sayyed, PSI, Wanwadi Police Station

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 8, 2026

P.C.:

1. Heard Mr. Nimbalkar, learned Advocate for Applicant and Ms. Phad, learned APP for State.
2. This is a Regular Bail Application filed under Section 439 of the Code of Criminal Procedure, 1973 / 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking Bail in connection with C.R. No. 573 of 2023 registered with Wanawadi Police Station, Pune for the offence punishable under Section 302 of the Indian Penal Code, 1860 (for short "IPC").
3. The Applicant before me is the wife of the deceased victim. She is accused and charged with commission of murder of her husband.

The incident in question was preceded by a quarrel which erupted between the two of them, in which the Applicant also suffered certain injuries. Death of the victim husband occurred by he having received a blow on the back of his head on he having been pushed and having fallen down on some heavy sharp object.

4. The Applicant was arrested on 24.11.2023. She is 41 years old. She has suffered incarceration of more than 2 years 10 months. She was granted temporary bail on 17.04.2026 by this Court for a period of three months for undergoing surgery on her spine due to spinal problem / degeneration of her neck and back region. The report of the Neurosurgeon which was submitted by the Applicant was duly considered by this Court while granting temporary bail. The said order for temporary bail came to be extended on a couple of occasions and ultimately on 31.07.2026, the Applicant was directed to surrender, which she duly did on 04.08.2026.

5. In the interim, it is *prima facie* seen that the Applicant did go in for an opinion to have the surgery, but in view of physiotherapy having been undertaken by her, she was advised surgery at a deferred date due to satisfactory response to the physiotherapy undertaken by her.

6. The consultation report dated 15.07.2026 issued in the interim has been also considered by the Medical Superintendent of Sassoon

General Hospital while giving a report to this Court. The said report has also been considered by the Orthopedic Department Head of B.J. Medical College and Sassoon General Hospital for giving the latest medical report of the Applicant dated 04.08.2026. *Prima facie* reading of the above report shows that the Applicant requires regular spinal exercises for strengthening her back muscles at least twice a day, physiotherapy supervision on a regular basis, and follow-up in the hospital every four weeks. She has to avoid forward bending at all costs and avoid lifting of weight of more than 5 kgs as stated therein, which is certified by Sassoon General Hospital also. All this is primarily because the clinical presentation acknowledges and states neck pain and pain in the lower back of the Applicant's body, and more specifically on the right side spreading to the gluteal region, which gets worse in the morning and which leads to severe difficulties.

7. Though the learned APP would vehemently object considering the report which was given in the interim and the latest report which was called upon by this Court which has been placed on record dated 04.08.2026 on the ground that the Applicant is charged with murder of her husband and the trial, though not having commenced, will commence soon and will be over in the shortest possible time, I am not inclined to accept the same. In all fairness, the learned APP submits that there are 16 witnesses only to be examined by the Trial Court,

and not all of them will be examined, and at the highest only 10 to 12 witnesses will be examined and the trial will be concluded expeditiously. Hence she would persuade this Court not to grant bail, but expedite the trial.

8. I have considered the submissions made by learned APP. In a given situation where the Applicant had been a normal case, I would have certainly agreed with the submissions made by her. However, in the present case, it is primarily seen that the Applicant is having severe physical difficulty. Previous orders of this Court which were passed by both my predecessors show and certify this fact that her medical difficulty has been taken into account either while granting temporary bail or while extending the time of temporary bail.

9. It is also *prima facie* seen from the material placed on record that the surgery which she is advised in April 2026 cannot be ruled out in the event if there is no result in recovery, since the medical examination *prima facie* shows and certifies that there is tenderness in the para-spinal region of the Applicant.

10. In that view of the matter, considering the additional grounds of the Applicant's present physical state as also the fact that the Applicant is incarcerated for more than 2 years 10months pending trial, on the ground of long incarceration of the Applicant and the Applicant being

an infirm woman, I am inclined to release the Applicant on bail on the following conditions:-:-

- (i) Applicant is directed to be immediately released from prison in connection with C.R. No. 573/2023;
- (ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs. 25,000/- (Rs. Twenty Five only) with one or two sureties in the like amount;
- (iii) Applicant shall report to the concerned Investigating Officer once every month on the first Monday of the month between 10:00 a.m. to 12:00 p.m.;
- (iv) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted and will not take any unnecessary adjournments, if she does so it will entitle the prosecution to apply for revocation of this order;
- (v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;
- (vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;
- (vii) Applicant shall keep the Investigating Officer informed of her current address and mobile contact number and / or change of residence or mobile details, if any,

from time to time, as applicable; and

(viii) Any infraction of the conditions shall entail cancellation of bail granted to the Applicant.

11. Needless to state that the above observations will not come in the way of trial as they are *prima facie* in nature based on the submissions made and the material placed before this Court.

12. Bail Application is allowed and disposed of in the above terms. Pending Interim Application is also disposed.

[MILIND N. JADHAV, J.]

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