

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 5616 OF 2015
IN
CRIMINAL APPEAL NO. 779 OF 2015

1. Balasaheb s/o Sampat Karanjkar,
Age : 25 years, Occu. Agri.
2. Siddheshwar s/o Sampat Karanjkar,
Age : 27 years, Occu. Agri.,

Both r/o Mudegaon, Tq. Ambajogai,
District Beed

APPLICANTS

VERSUS

The State of Maharashtra

RESPONDENTS

AND

CRIMINAL APPLICATION NO. 5617 OF 2015
IN
CRIMINAL APPEAL NO. 779 OF 2015

1. Alka w/o Siddheshwar Karanjkar,
Age : 23 years, Occu. Household
2. Mirabai w/o Sampat Karanjkar,
Age : 45 years, Occu. Household,

Both r/o Muedegaon, Tq. Ambajogai,
District Beed

APPLICANTS

VERSUS

The State of Maharashtra

RESPONDENTS

Mr. Satej S. Jadhav, Advocate for the applicants
in both the applications
Mr. B.A. Shinde, A.P.P. for the respondent-State
in both the applications

CORAM : M.T. JOSHI, J.

DATE : 28/10/2015

ORAL ORDER :

1. Heard both sides.
2. Aggrieved by the conviction for the offences punishable under section 498A, 304B and 306 read with section 34 of the I.P. Code, the present applicants in both the applications have preferred the appeal in which the present application for suspension of substantive sentences and for their release on bail is filed.
3. The applicants/appellants were sentenced to suffer rigorous imprisonment for eight years for the offence punishable under section 304B of the I.P. Code while lesser punishments were awarded for rest of the offences. All the sentences were directed to run concurrently.
4. Upon hearing both sides and reading of the material on record, it would reveal that deceased Kalpana had married to applicant/appellant Balasaheb on 14th February, 2013. She died on 14th April, 2013 while staying at the house of acquitted accused No. 6 Usha,

the sister-in-law of the deceased. The record would show that the deceased was under the medication for significant depression and admittedly, the doctor had advised to keep watch 24 hours on deceased Kalpana.

5. Learned counsel for the applicants submits that the present applicants are behind the bars since the date of their conviction. The fine amount has been deposited by all the present applicants and prayed for their release on bail.

6. Considering the fact that the hearing in the appeal may take its own time, the present applications can very well be allowed. In the circumstances, the following order:-

7. The substantive sentences awarded to the present applicants/appellants in both applications are hereby suspended.

8. All the present applicants be released on bail on each of them executing P.R. bond in the sum of Rs. 20,000/- (rupees twenty thousand) and also upon each of them furnishing surety in the like amount.

Hamdast granted.

9. Both the present applications are accordingly allowed and disposed of.

[M.T. JOSHI]
JUDGE

npj/criapln5616-5617-2015