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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.910 OF 2015
IN
CRIMINAL APPEAL NO.749 OF 2015.**

Smt. Jyoti Shirish Sasane

... Applicant.

V/s.

The State of Maharashtra

.... Respondent

Mr. Venkatesh A. Shastry, Advocate, for the Applicant.

Mrs. G. P. Mulekar, A.P.P., for the Respondent-State.

**CORAM : SMT. V.K. TAHILRAMANI &
DR. SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 14TH AUGUST, 2015.

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This application for bail is preferred by the appellant alongwith appeal, as she is convicted for offence punishable

under Section 302 and 201 of Indian Penal Code and sentenced to suffer imprisonment for life and to pay fine amount.

3. As per prosecution case the appellant herein has committed the murder of her son Aaryan a child of 1½ years age by throttling. The prosecution is mainly relying on the evidence of P.W.2 Jyoti Kamble- the neighbour of the appellant. While she was washing clothes in front of her house, she saw the appellant passing alongwith her son Aaryan in her arms. She noticed that neck of the child Aryan was tilted on one side. When she made enquiry with the appellant, appellant told her that Aaryan was sleeping. The appellant returned to the house alone within half an hour. Thereafter child Aaryan was found to be missing and his dead body was found near Sankalpa Siddhi Karyalay.

4. In addition to the evidence of P.W.2 Jyoti Kamble, there is also evidence of panch P.W.3 Laxman More, P.W.6 Police Inspector – Danial Ben, that at the instance of the appellant in pursuance of memorandum statement given by her, gold ear rings and one almond shaped gold locket which Aaryan was

wearing were recovered under Section 27 of the Evidence Act. Therefore, there is sufficient material evidence on record at this stage. Hence her application for bail cannot be considered and it stands rejected.

6. The submission of learned counsel for the appellant, however, to expedite the hearing of the appeal is accepted. The hearing of the appeal is accordingly expedited.

[DR. SHALINI PHANSALKAR-JOSHI, J.] [SMT. .V. K. TAHILARAMANI, J.]