

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 45 OF 2014
IN
CRIMINAL REVISION APPLICATION NO. 59 OF 2014
WITH
CRIMINAL REVISION APPLICATION NO. 59 OF 2014

Shekhar Suresh Dighe .. Applicant

Versus

State of Maharashtra .. Respondent

Mr. Sanjay Kulkarni, Advocate for the applicant
Smt. V. S. Mhaispurkar, APP for the respondent-State

CORAM:-M.L. TAHALIYANI,J.
DATED : -14/01/2015

P.C.

Heard Mr. Kulkarni, learned counsel for the applicant.

2 The applicant was tried for the offence punishable u/s 304 (II) of IPC by the learned Assistant Sessions Judge and he has been convicted by the trial Judge for the said offence. His appeal has been dismissed by the learned Addl. Sessions Judge. This revision application is against the order of learned Sessions Judge has been admitted by this Court .

3 The applicant is in custody since last eleven months. I have gone through the evidence of Pws No. 1 and 2. The evidence of PW 1 does not disclose as to in what manner the incident had occurred. However, the evidence of PW 2 discloses that the firing might have taken place due to mishandling of pistol on the part of the applicant. This issue needs to be considered at the time of final hearing of the revision application. In view thereof, it is possible that the Court may take a view that the applicant was guilty of offences punishable u/s 304A of IPC. Hence I am inclined to grant bail to the applicant. I pass the following order:

 The applicant Shekhar Suresh Dighe, may be released on bail in the sum of Rs.35,000/- with one solvent surety in the like amount.

 The applicant stands disposed of.

(JUDGE)

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