

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.298 OF 2015
IN
CRIMINAL APPEAL NO.310 OF 2015

Maruti Sopan Bhandalkar

..Applicant

Versus

The State of Maharashtra

..Respondent

....

Mr. V. B. Shivarkar, Advocate for the Applicant.

Mrs. Anamika Malhotra, APP, for the State.

....

CORAM : A. R. JOSHI, J.

DATE : 10th JUNE, 2015

P.C.

1. Heard learned Counsel for the applicant in this application for bail during pendency of the appeal which has already been admitted.

2. The applicant is convicted for the offence punishable under Sections 307 and 498A of IPC and is sentenced to suffer RI for seven years and one year respectively. During pendency of the trial the applicant was on bail. However, after the pronouncement of judgment on 21st February, 2015, he was taken in custody and since then he is in jail.

3. Considering the allegations against the applicant and considering that the FIR was lodged after about 15 days of the incident of burning both the legs of wife of the applicant and considering that initially she had given a statement to the attending doctor as to sustaining burn injuries by hot water, in the opinion of this Court, during pendency of the appeal the applicant can be released on bail more so when he was on bail during pendency of the appeal. Moreover other two co-accused i.e. parents of the applicant were tried for the same offence along with him but they were acquitted by the trial Court. As such, present application for bail is allowed. The applicant be released on same bail which was granted to him during the trial but with fresh bonds to be executed before the trial Court. Criminal Application is disposed of accordingly.

(A. R. JOSHI, J.)