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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.468 OF 2015
IN
CRIMINAL APPEAL NO.723 OF 2013

Suraj JagannathJadhav ... Applicant.

V/s.

The State of Maharashtra Respondent

Mr. Rohan Nahar, for the Applicant.

Smt. V.R. Bhosale, A.P.P., for the Respondent-State.

CORAM : P.V.HARDAS &
DR. SHALINI PHANSALKAR-JOSHI, JJ.

DATE : 5th MAY, 2015.

P.C. :

1. By this application, the applicant who is appellant in Criminal Appeal No.723 of 2013, seeks suspension of the substantive sentence of imprisonment and his enlargement of on bail pending decision of the appeal.

2. The conviction of the applicant rests of four dying declarations which have been found to be consistent by the learned trial Court. The learned trial Court accordingly relying upon the dying declarations has convicted and sentenced the applicant.

3. We have heard learned counsel Mr. Rohan Nahar, for the applicant and learned APP for the State.

4. In the light of overwhelming evidence, we are not inclined to suspend the substantive sentence of imprisonment and release the applicant on bail. Additionally we find that the applicant was not on bail during the trial. It, however, appears that applicant has undergone imprisonment of approximately more than four years and therefore, we direct that the appeal filed by the applicant be added to the final hearing board at its appropriate place on the board from 08.06.2015.

5. Criminal Application No.468 of 2015 is accordingly dismissed with the aforesaid directions.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[P.V.HARDAS, J.]