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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1451 OF 2014
IN
CRIMINAL APPEAL NO. 518 OF 2012

Sandeep Omprakash Singh

.. Applicant

Vs.

The State of Maharashtra

.. Respondent

Mr. Chandrakant K. Talekar for applicant.

Mrs. U.V. Kejriwal, APP for State.

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

JANUARY 13, 2015.

P.C.

1. By this application, the applicant/Original Accused No. 2 seeks suspension of the substantive sentence of imprisonment and his enlargement on bail, pending the decision of the appeal. The applicant, along with other accused, stands convicted for offence punishable under Section 363 and 364-A of the IPC and stands sentenced to imprisonment for life.

2. It appears that the prosecution had examined PW 1 – Anthony Mendis and PW 2 – Deepali Mendis, who are the parents of the victim - PW 3 – Ashutosh. PW 3 – Ashutosh was also examined as a witness. In

the light of the overwhelming evidence adduced by the prosecution against the applicant, prima facie and at this stage, we are not inclined to suspend the substantive sentence of imprisonment and release the applicant on bail.

3. Mr. Talekar, learned counsel for the applicant has urged before us for fixing the appeal for final hearing as according to the learned counsel for the applicant, the applicant has undergone practically five years of imprisonment.

4. Since the paper book is ready, we accede to the request of the learned counsel for the applicant and direct that the appeal filed by the applicant be added to the final hearing board from 2/2/2015 at its appropriate place on the board.

5. Application is accordingly dismissed with the aforesaid direction.

(DR. SHALINI PHANSALKAR-JOSHI,J.)

(P. V. HARDAS,J.)