

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1318 OF 2015
IN
CRIMINAL APPEAL NO.1023 OF 2015

JEEVAN JAYWANT DESHMUKH ...Applicant.
V/S
THE STATE OF MAHARASHTRA ...Respondent.

....
Mr.Milind Deshmukh, Advocate for the Applicant.
Mrs. P.P. Bhosale, APP, for the Respondent-State.
....

CORAM : A. R. JOSHI, J.

DATE : 21st OCTOBER, 2015

P.C.

1. Heard rival arguments on the application for bail/suspension of the substantive sentence during pendency of appeal.

2. The applicant/orig. accused No.1 is convicted for the offence punishable under Sections 498A, 306 and 323 of Indian Penal Code. For the offence under Section 306 of IPC, he is convicted and sentenced to suffer RI for five years and to pay fine of Rs.2,000/-. Reportedly, all the fine amounts are already paid. During the trial the applicant/accused No.1 was on bail.

The FIR was lodged after about 10 days of the incident of hanging of the victim wife of the applicant. By the impugned judgment and order, the original accused Nos.2 & 3 were acquitted. The State had not preferred any appeal challenging their acquittal.

3. Considering the substantive evidence of the prosecution witnesses and mainly considering that the applicant was on bail during pendency of the trial, present application is allowed. The applicant be released on same bail as granted by the trial Court with fresh bonds to be executed before the trial Court. Application is accordingly disposed of.

(A. R. JOSHI, J.)

Deshmane (PS)