

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1349 OF 2015
IN
CRIMINAL APPEAL NO.1046 OF 2015**

Mohammad Kamruddin Mujawar ..Applicant/Appellant
V/s.
The State of Maharashtra .. Respondent

Vijay Killedar for the applicant/appellant.
Mr.A.R.Patil APP for the Respondent-State.

**CORAM : A. R. JOSHI, J.
DATE : 08th DECEMBER, 2015.**

P.C.

1. Heard rival arguments on this application for bail during pendency of appeal.

2. Appeal is already admitted on 17th November 2015. The Appellant is convicted for the offences punishable under sections 306 and 498-A of Indian Penal Code. Respectively he is sentenced to suffer RI for six years and three years. Fine amount of Rs.2,500/-on each count is also imposed on him. Reportedly fine amount is already paid.

3. During the trial the applicant-appellant was on bail. The allegation against him and which is apparently established in the trial is that he ill-treated his wife and was doubting her character. At times parents of his wife tried to pacify the situation but in vain. The trial Court observed that before committing suicide there was sever beating to the wife. However, the post-mortem report do not show any injuries on any parts of the body except the ligature mark on the neck. It is the case of the hanging. Considering these circumstances the present application is allowed.

4. The applicant be released on same bail as granted by the trial Court with fresh bond to be executed before the trial Court.

5. The bail order is effective only on payment of fine amount.

(A. R. JOSHI, J)