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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1550 OF 2015
IN
CRIMINAL APPEAL NO.1149 OF 2015.

Sou. Varsha Ramdas Awate

... Applicant.

V/s.

The State of Maharashtra

.... Respondent

Mr. Aniket U. Nikam, for the applicant.

Mr. A. S. Shitole, APP for the Respondent-State.

CORAM : SMT. V.K. TAHILRAMANI ACTING CJ &
DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 22nd DECEMBER, 2015.

P.C. : [Per: Dr. Shalini Phansalkar-Joshi, J.]

1. This application is preferred by original accused No.2 seeking suspension of her substantive sentence of imprisonment and for her enlargement on bail during the pendency of this appeal.

2. The applicant has been convicted for the offence punishable under Section 302 read with 34 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for life and to pay fine of Rs.5,000/- in

default rigorous imprisonment for one year.

3. As per prosecution case, applicant alongwith her husband Ramdas, were having suspicion that deceased Pramod was spreading rumours about his illicit relations with present applicant and hence applicant's husband accused No.1 Ramdas called him by making several phone calls on his mobile and subjected him to assault which resulted into his death. The case of prosecution is based on circumstantial evidence. The allegations against applicant is that she has assaulted the deceased with wooden stick; whereas her husband accused No.1 has assaulted the deceased with sickle. The allegation of making phone calls to the deceased is against accused No.1 and not against present applicant. Hence considering the fact that the applicant was on bail during the trial, the applicant is a woman and the nature of evidence against her, we are inclined to suspend her substantive sentence of imprisonment and release her on bail.

- Application is, therefore, allowed.
- The applicant be released on bail on her furnishing P.R. bond in the sum of Rs.25,000/- with one or two sureties in the like amount subject to condition that she should

give attendance at Talegaon Dabhade Police Station,
District: Pune, once in three months i.e. on first Monday
between 11.00 a.m. to 1.00 p.m.

[ACTING CHIEF JUSTICE.]

[DR. SHALINI PHANSALKAR-JOSHI, J.]

C E R T I F I C A T E

Certified to be true and correct copy of the
original signed order.