

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 4661 OF 2015**

Sandeep s/o Yuvraj Jadhav ...Applicant

versus

Praful s/o Santosh Nikam & anr. ...Respondents

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Mr. R. C. Patil, Advocate for applicant  
Mr. Joydeep Chatterji, Advocate for respondent No. 1  
Mr. S. Y. Mahajan, A.P.P. for respondent/State  
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**CORAM : N.W. SAMBRE, J.**

**DATE : 21st JANUARY, 2016**

**ORAL ORDER :**

This is an application for cancellation of bail granted by the learned Sessions Judge, Dhule, by an order dated 07/07/2015 in Crime No. 15/2015 for the offence punishable under Sections 307, 498-A, 323, 504 and 506 read with Section 34 of Indian Penal Code.

2. Mr. Patil, learned Counsel for applicant would strenuously urge that cancellation of bail is sought on merit, as the learned Sessions Judge, after considering the chargesheet without discussing iota of evidence has allowed the same. According to him, in view of dying declarations, prima facie, involvement of the

applicant in crime in question is apparent and as such, sought cancellation.

3. Mr. Chatterji, learned Counsel for respondent-complainant supports the order passed by the learned Sessions Judge, whereas learned A. P. P. has assisted the Court and submitted that the Court to pass appropriate orders in the matter.

4. Admittedly, non-applicant herein was husband of deceased. The deceased died due to the burn injuries and she was hospitalized by the non-applicant herein. Apart from above, it is after filing of chargesheet, the learned Sessions Judge, considering the merits of the matter has allowed the application. While deciding the bail application, the Court is not required to call upon to discuss the evidence on record.

5. Apart from above, there is no case on record, wherein liberty is misused by the non-applicant herein. As such, no case for interference is made out. The application fails, same stands rejected.

**[ N.W. SAMBRE, J. ]**