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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1261 OF 2015
IN
CRIMINAL APPEAL NO.1035 OF 2015

Shivpujan Harishankar Yadav .. Applicant.

V/s.
The State of Maharashtra .. Respondent

Mr. Abhaykumar Apte for the Appellant.
Smt. V.R. Bhonsale, APP for the Respondent/State.

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

DATE : 11TH FEBRUARY 2016.

P.C:

1. This is an application for bail, preferred by original accused, who stands convicted for the offence punishable under Section 302 of Indian Penal Code and sentenced to suffer imprisonment for life, in Sessions Case No.220 of 2012, by the judgment and order dated 16.5.2015.

2. The case of prosecution stands on the evidence of eye witness namely P.W.2 Sanjay, who has deposed about the applicant demanding money to his mother. Her mother was not

having money and therefore his father killed his mother by strangulating her with the help of rope and also by assaulting her with knife. There is also evidence of neighbour P.W.3 Amarjeetsing, servant P.W.4 Suresh and the mother of deceased P.W.10 Kausalya, who had rushed to the spot after hearing shouts and saw the applicant very much present in the house and deceased succumbed to injuries due to strangulation. As per evidence of P.W.7 Tenge, some injuries were found on the person of applicant also. The evidence of P.W.6 Dr. Shinde, goes to prove the injuries on the person of deceased and the cause of death as ligature strangulation.

3. In view of this overwhelming evidence on record, we are not inclined to suspend the substantive sentence of imprisonment and to release applicant on bail during pendency of his appeal. Application, therefore, stands dismissed.

4. Fees be paid to the appointed advocate as per rules.

[ACTING CHIEF JUSTICE.]

[DR. SHALINI PHANSALKAR-JOSHI, J.]