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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1401 OF 2015
IN
CRIMINAL APPEAL NO.1081 OF 2015

Baburao Ramnath Gulve		Applicant.
V/s.		
The State of Maharashtra		Respondent

Mr. Vikas B. Shivarkar, for the Applicant.
Mr. H. J. Dedia, APP for the Respondent-State.

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

DATE : 8TH JANUARY 2016.

ORAL ORDER: [Per: SMT. V.K. TAHILRAMANI, ACJ]

1. The applicant has been convicted under Section 302 and 498A of Indian Penal Code. The applicant is now seeking bail.
2. It is the prosecution case that the applicant poured kerosene on his wife Maya and set her on fire. Maya was taken to the hospital. In the hospital, two dying declarations were recorded. One was recorded by

P.W.11 Head Constable Ramdas Sanap and the other dying declaration was recorded by P.W.9 Executive Magistrate - Prakash Mahajan. In both the dying declarations, Maya has stated that the applicant poured kerosene on her and set her on fire. In addition, there is oral dying declaration to P.W.3 Chhaya; wherein Maya has stated that the applicant has set her on fire. The prosecution is also relying on the evidence of P.W.10 Dr. Chandurkar. Dr. Chandurkar has stated that on 13.7.2013, at about 12.00 midnight, one lady with burn injuries was brought to the hospital. She gave her name as Maya. Dr. Chandurkar has stated that he made enquiries with Maya and Maya told him that her husband poured kerosene on her and set her on fire.

3. Looking to the evidence on record, we do not think that this is a fit case to grant bail. Hence application is rejected.

[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.