

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPA) NO.49/2016

IN

CRIMINAL APPEAL NO.25/2016

Sanjay Manohar Dhole..vs.. State of Maharashtra through PSO, Karanja (G), Wardha

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. H. Chitlay, Advocate h/f Mr.A.S. Manohar, Advocate for applicant.
Mr. M. B. Pathan, A.P.P. for non applicant-State.

CORAM : B. R. GAVAI & V. M. DESHPANDE, JJ.

DATE : JUNE 24, 2016

This is an application under Section 389 of the Cr.P.C. for suspension of jail sentence and for grant of bail.

Heard Mr. Chitlay, Advocate holding for Mr. A. S. Manohar, Advocate for the applicant. The applicant is convicted by the learned Additional Sessions Judge, Wardha for an offence punishable under Section 302 of the IPC and was directed to suffer imprisonment for life.

The prosecution case is based on the dying declaration. With the assistance of the learned A.P.P., we have gone through the dying declaration. Prima facie, the dying declaration implicates the present applicant, who is husband of the deceased. Learned Judge of the Court below has considered the dying declaration and thereby reached to the conclusion that the prosecution has proved its case beyond reasonable doubt.

At this stage, prima face, we are of the opinion that no error could be noticed in the judgment delivered by the learned court below. Hence, the application is rejected.

JUDGE

JUDGE