

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.720 OF 2017

IN

CRIMINAL APPEAL NO.441 OF 2017

Shubhangi Ganesh @ Tukaram

Kadbhane

.....Applicant

V/s.

State of Maharashtra

.....Respondent

Mr. Harshad E. Palwe , Advocate for Applicant.

Mrs. G.P.Mulekar, APP for Respondent-State.

**CORAM : SMT. V.K. TAHILRAMANI, &
SANDEEP K. SHINDE, JJ.**

DATE : 14th June, 2017.

P.C. :

Heard both sides.

2 The Applicant/Original Accused No.2 has been convicted under Section 302 and 201 read with Section 34 of the IPC. She has been convicted with her mother-in-law/Original Accused No.1-Yamunabai for committing the murder of father-in-law Popat, who was husband of the Original Accused No.1.

3 It is the prosecution case that the Applicant-Shubhangi held Popat and her mother-in-law/Original

Accused No.1 had thrown the grinding stone on the head of Popat which led to his death. There is no eye witness in the present case. There is no recovery at the instance of the Applicant which connects her with crime. Reliance is placed on one confession made by the co-accused. However, this confession was made before the police. Hence, we cannot take it into consideration. No other material was pointed out by the learned APP which connects the Applicant to the crime.

4 Looking to the evidence on record and the fact that the Applicant who is young lady was on bail during the trial, we are inclined to grant bail to the Applicant. Hence, the following order:

(I) The Applicant be released on bail in sum of Rs.25,000/- with one or two sureties to make up the said amount and P.R.Bond in the like amount.

(II) During the period that the Applicant was on bail, she shall report to Sinnar Police Station, Nashik once in three months.

5 Application is allowed in the above terms.

(SANDEEP K. SHINDE, J)

(SMT. V.K. TAHILRAMANI, J)