

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1008 OF 2017
IN
CRIMINAL APPEAL NO.593 OF 2016**

Dattatray Revlebia Shingote	...	Applicant/Appellant
V/s.		
The State of Maharashtra	...	Respondent

Mr.Satyavrat Joshi, Advocate for the Applicant/Appellant.
Ms.P.N.Dabholkar, APP for the Respondent/State.

CORAM : A.M.BADAR J.
DATED : 22nd AUGUST 2017.

P.C. :

1. This is an application by Appellant/convicted accused for temporary bail for a period of three weeks, during pendency of Criminal Appeal bearing No. 593 of 2016 filed by him.
2. Heard the learned Advocate appearing for the Applicant/Appellant/Accused. He argued that though the application was moved on the ground that wife of the Applicant is suffering from Cervical Cancer, during pendency of the instant application, Vimal Dattatraya Shingote-wife of the present applicant ultimately succumbed to the cancer on 16th August, 2017. The learned Advocate also placed on record copy of death certificate of wife of the present Applicant and argued that for

performing last rites of his deceased wife, the Applicant be released on temporary bail. The learned Advocate further submitted that the Applicant is ready and willing to abide by all conditions which may be imposed for securing temporary liberty.

3. The learned APP opposed the application by contending that the Applicant may not be released on temporary bail, but accepted the fact that wife of the present Applicant died on 16th August, 2017.

4. I have considered the rival submissions and also perused documents showing that prior to her death, Vimal Shingote-wife of the Applicant was suffering from Carcinoma Cervix i.e. cancer of Cervix. Death certificate issued by the Registrar under the relevant Act reflects that she died on 16th August, 2017. It is seen that the Applicant is not having any criminal antecedent. The Applicant who is stated to be about 70 years of age will require to attend last rites of his deceased wife. In this view of the matter, the following order:-

ORDER

1. During pendency of Criminal Appeal bearing No. 593 of 2016 arising out of Crime No. 109 of 2014 registered with Otur Police Station, Pune and Special case No. 45 of 2014 decided by the Special Judge, Khed, Rajguru Nagar, District Pune, for a period of three weeks commencing from release

of the Applicant from the concerned prison, he be released on temporary bail on furnishing P.R. bond in the sum of Rs.15,000/- with one surety in the like amount.

2. As a condition of this order, the Applicant should report Otur Police Station, on every Monday in between 11.00 a.m. to 12.00 noon for the period of three weeks and he should not commit any crime during this period.
3. On completion of period of three weeks, the Applicant should surrender at the concerned prison without fail.
4. The application is disposed of accordingly.

(A.M.BADAR J.)

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