

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

**CRIMINAL APPLICATION NO.287 OF 2018
IN
CRIMINAL APPEAL NO.370 OF 2012**

Smt.Sonubai Baburao Padwal Applicant

versus

The State of Maharashtra ... Respondent

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- Mr.Daulat G. Khamkar, Advocate for the Applicant.
- Mrs.M.M. Deshmukh, APP for the State/Respondent.

**CORAM : B. R. GAVAI &
SARANG V. KOTWAL, JJ.
DATE : 05th JULY, 2018.**

P.C. :

1. This is an Application for suspension of sentence and grant of bail during the pendency of the Appeal.
2. The learned APP Mrs.Deshmukh vehemently opposed the Application. She submits that earlier two Applications are rejected by this Court and one of the Applications is rejected by the Bench of which one of us i.e. B.R.Gavai, J., was a party.

3. No doubt the earlier Application of the Applicant was rejected twice. One was rejected by the order dated 09/05/2012 by the Bench, of which one of us i.e. B.R.Gavai, J., was a party. The said Application was filed immediately after the order of conviction. A period of 6 years has been lapsed from the said Application. The Applicant is in custody for a period of 8 years and 7 months.

4. There are two Dying Declarations which implicate the present Applicant. However, it is to be noted that the Applicant is a woman. She has already undergone more than 50% of the sentence. In that view of the matter, the Application is allowed. The Applicant is directed to be released on bail, on furnishing PR bond in the sum of Rs.10,000/- with one of more sureties in the like amount.

(SARANG V. KOTWAL, J.)

(B. R. GAVAI, J.)