

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

BAIL APPLICATION NO.2763 OF 2019

Harvinder Singh Kesar Singh Bindra	.. Applicant
<i>Vs.</i>	
State of Maharashtra	.. Respondent

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Mr.Sanjay Bhojwani, Advocate for the Applicant.
Mr.S.H. Yadav, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : NOVEMBER 04, 2019.

P.C. :

The applicant is aged about 71 years. He was arrested on 3rd August, 2019 in connection with C.R.No.436 of 2019, registered with Wanowarie Police Station, Pune for the offence punishable under Section 302 of Indian Penal Code.

2 First Information Report was lodged on 2nd August, 2019 by son of the applicant. The prosecution case is that the victim is the wife of the applicant. She was found murdered in the house on the night of 1st August, 2019. The door of the room was found open at the time of the incident. It was noticed that the applicant was not in the house. It is also alleged that CCTV

Footage reflected that the applicant had left the house in the night. There is no eye witness to the incident. However, note allegedly written by the applicant was found at the scene of offence wherein it was stated that on account of frustration due to ailment of the victim, the accused would kill the victim and was going to commit suicide.

3 Undisputedly, the applicant was looking after his wife (victim) for last 30 years. It appears that she was suffering from ailment. Even the applicant was suffering from ailment and was undergoing treatment. Learned APP submitted that the offence is of serious nature and bail should not be granted to the applicant.

4 Considering the factual matrix of the case and the fact that the applicant is about 71 years and he is in custody from 3rd August, 2019. Charge-sheet has been filed. Bail can be granted to the applicant.

5 Hence, I pass the following order:

:: ORDER ::

- (i) Bail Application No.2763 of 2019, is allowed;

(ii) The applicant is directed to be released on bail in connection with C.R.No.436 of 2019, registered with Wanowarie Police Station, Pune, on his furnishing PR Bond in the sum of Rs.20,000/-, with one or more sureties in the like amount;

(iii) Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)