

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 968 OF 2019
IN
CRIMINAL APPEAL NO. 480 OF 2018

Ambadas C. Porandala. ...Applicant.
Versus
State of Maharashtra. ..Respondent.

Mr. Prosper D'souza for the Applicant.
Mr. A. Sait, APP for the Respondent-State.

Coram : RANJIT MORE &
SURENDRA P. TAVADE, JJ.
Date : **February 17, 2020.**

P. C. :

1. Heard learned counsel for the Applicant as well as the learned APP for Respondent-State. The Applicant herein is accused no.2 in Sessions Case No.612 of 2014. He along with accused no.1 is held guilty and convicted for the offence punishable under sections 302 and 201 of the Indian Penal Code, 1860 and sentenced to suffer life imprisonment. The entire prosecution case depends upon the following circumstantial evidence :

[1] There was dispute between deceased and accused on account of monetary transaction.

[2] Both the accused were found making attempt to sell the motorcycle of deceased to owner of Alka Bar, (PW-6).

[3] The dead body of deceased was found later on in a sack (a gunny bag), which was parked outside the Alka Bar.

[4] The rope recovered from the room of one of the accused is similar to the rope with the help of which deceased was murdered.

[5] The ATM card of the deceased was found with accused no.1.

[6] Both the accused went absconding after the incident and were arrested from Solapur.

[7] The injury was found on the person of accused no.1.

2. Learned Sessions Judge has taken into consideration all these circumstances and held that chain of circumstances is complete so as to point out the only conclusion of guilt of accused.

3. Learned counsel for the Applicant tried to point out the discrepancies in the evidence of witnesses. However, at this stage of bail, we are not going into that aspect of the matter.

4. In the backdrop of above discussion, application is **dismissed**.

[SURENDRA P TAVADE, J.]

[RANJIT MORE, J.]