

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.143 OF 2020

Renuka Namdeo Karkale

Applicant

versus

The State of Maharashtra

Respondent

Mr.Mahesh H. Chandanshiv for applicant.

Mr.R.M.Pethe, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 31st July 2021

PC :

1. This is an application for bail. The applicant is arrested on 29th April 2017 in connection with CR No.117 of 2017 registered with Chiplun Police Station for offence u/s.302 of Indian Penal Code.

2. The case of prosecution is that there used to be quarrels between the victim who is the daughter-in-law of the applicant and the applicant. On the day of incident also there was a quarrel and at that point of time the applicant assaulted the deceased with knife, which has resulted in her death. The applicant was arrested on 29th April 2017.

3. Learned advocate for applicant submitted that the applicant is a senior citizen. She is in custody for four years. The incident had occurred at the spur of moment. Statements of witnesses indicate that knife was in possession of victim which was snatched by the applicant and thereafter the victim was assaulted. There is no progress in trial. The incident had arisen out of sudden quarrel. Learned advocate for applicant submitted that the case has now been transferred to the Court of Additional Sessions Judge, Chiplun from March-2020.

4. Learned APP submitted that although the applicant is a senior citizen, the manner in which the victim was assaulted, is required to be considered. There are several injuries on the person of victim. Repeated blows were given by applicant. There are eye witnesses to the incident.

5. The incident is witnessed by the applicant as well as by child witness. One of the witness is the grandson of applicant. The post mortem report indicate that victim had suffered 37 injuries over chest, abdomen and hands. Injuries were on vital organs in the nature of penetrating wounds. There were seven full penetrating wounds on the right lung, two injuries on the heart and about six injuries on liver and chest. The injuries reflected in the post mortem report indicate nature of blows and the force used by the accused. It is true that the applicant is lady aged about 65 years and that she is in custody for substantial period of time. However, the attack was brutal and considering the fact that there were 37 injuries inflicted on the victim, it is difficult to consider application for grant of bail. However, trial can be expedited.

6. Hence, I pass following order :

ORDER

- (i) Bail Application is rejected;
- (ii) Trial is expedited;
- (iii) The Trial Court shall make an endeavour to complete trial within six months from the date of receipt of copy of this order.

(PRAKASH D. NAIK, J.)