

Lata S.
Panjwani
Digitally
signed by
Lata S.
Panjwani
Date:
2021.02.12
17:14:33
+0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Interim Application No.65 of 2021
IN
CRIMINAL APPEAL NO. 870 of 2019

Neeta Nagesh Kulkarni	...	Applicant
V/s.		
State of Maharashtra	...	Respondent

Ms. Nihita Shankaran for the applicant.
Mr. H.J. Dedhia, APP for the State.

CORAM : PRASANNA B. VARALE
& S.M. MODAK, JJ.

11th February 2021.

P.C.

Heard learned counsel for the applicant.

2. The learned counsel vehemently reiterated her submissions in support of the prayer i.e. enlargement of the applicant on bail pending appeal. The ground raised by the learned counsel for the applicant is that the applicant who is possessing a good academic qualification at her credit is the only person who can support her family as no other

member in the family is in a position to support the family financially.

3. Considering this very particular ground by our order dt. 1.2.2021, the learned APP was directed to submit a report to this Court. Accordingly, the learned APP placed on record a report submitted through the Assistant Police Inspector, Mandava Sagari police station and the statements of the family members of the applicant are annexed to the report. The perusal of the report shows that father of the applicant Mr. Nagesh Kulkarni is possessing a private property and is keeping good health. It is also stated in the statement that Mr. Nagesh Kulkarni was working in a company but the company was closed down and litigation is going on. It is also stated in the report that Shri Nagesh Kulkarni is an Electronic technician, as such he can support to his family by doing private job. Mr. Nagesh Kulkarni in his statement stated that his son Nitin completed his mechanical engineering course from a private college and he was selected for higher studies (Master of Science) in Texas University. It is stated that Nitin proceeded for pursuing his higher studies on 26th July 2019. The tenure of the course is of six months.

4. Considering this fact, in all probability Nitin is expected to return back to India within a month or two after completing his higher studies. With the academic qualifications Nitin can certainly try for better job opportunities and support his family. The above referred

facts coupled with an important fact that the earlier two applications filed by the applicant are rejected by this Court on consideration of merit, in our opinion application is devoid of any merit and deserves to be rejected. Accordingly, the application is rejected.

S.M.MODAK, J

PRASANNA B. VARALE, J

L.S. Panjwani, P.S.