

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (BA) NO. 566 OF 2021

(Siddhart s/o Jagannath Dhunde ..vs.. State of Maharashtra, through PSO, PS Akot Gramin, District Akola)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A.M. Sharma, Counsel for the applicant,
Mr. N.R. Rode, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 07-07-2021

Hearing was conducted through video conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. The applicant, who is accused of assaulting his wife with iron pipe and causing her death, is seeking bail in Crime 474/2020 registered with Police Station Akot Gramin, District Akola for offence punishable under Section 302 read with Section 109 of the Indian Penal Code.

3. I have perused the material on record.

4. While the submission of the learned Counsel Mr. A.M. Sharma is that the applicant may have been provoked into dealing a single blow on the head of the deceased, suspecting her proximity to Mr. "Y" whose statement is recorded by the police, the submission is

belied by the number and location of the injuries.

5. The witness, with whom the applicant suspected his wife was close, does state that he was conversing with the deceased on phone and heard her cries before the phone went silent. Whether, the applicant was provoked, and if provoked due to the alleged conversation between the deceased and the witness, whether such provocation has any implication, would ultimately be for the trial Court to address.

6. At this stage, I do not see any reason to exercise discretion in favour of the applicant.

7. However, the trial Court is requested to expedite the trial and to complete the same within six months from the date of framing of charge. If there is no significant progress in the trial in the coming four months, the applicant shall be at liberty to renew the request for bail.

8. The application is disposed of accordingly.

JUDGE

adgokar