

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

***CRIMINAL INTERIM APPLICATION NO.2159 OF 2022  
(For Suspension and Bail)***

***IN  
CRIMINAL APPEAL NO. 820 OF 2018***

Puja Uday Banjare

...Applicant

**IN THE MATTER BETWEEN :**

Uday Guharam Banjare @

Uday Katkar & Anr.

...Appellant

Versus

The State of Maharashtra

...Respondent

Mr. Aniket Vagal for the Applicant

Mr. A. R. Kapadnis, A.P.P for the Respondent–State

**CORAM : REVATI MOHITE DERE &**

**SHARMILA U. DESHMUKH, JJ.**

**FRIDAY, 26<sup>th</sup> AUGUST 2022**

**P.C. :**

1                      Heard learned counsel for the parties.

2           By this application, the applicant seeks suspension of her sentence and enlargement on bail, pending the hearing and final disposal of her appeal.

3           The applicant, along with other co-accused, vide judgment and order dated 19<sup>th</sup> May 2017 passed by learned Additional Sessions Judge, Pune, in Sessions Case No. 391/2014, has been convicted and sentenced as under:-

- for the offence punishable under Section 364-A of the Indian Penal Code, to suffer rigorous imprisonment for life and to pay fine of Rs.5,000/- each, in default of payment of fine, to suffer further rigorous imprisonment for 6 months;
- for the offence punishable under Section 363 r/w Section 34 of the Indian Penal Code, to suffer rigorous imprisonment for 2 years and to pay fine of Rs.5,000/- each, in default of

payment of fine, to suffer further rigorous imprisonment for 3 months;

- for the offence punishable under Section 365 r/w Section 34 of the Indian Penal Code, to suffer rigorous imprisonment for 2 years and to pay fine of Rs.5,000/- each, in default of payment of fine, to suffer further rigorous imprisonment for 3 months;

- for the offence punishable under Section 368 r/w Section 34 of the Indian Penal Code, to suffer rigorous imprisonment for 6 months and to pay fine of Rs.500/- each, in default of payment of fine, to suffer further rigorous imprisonment for 1 months;

- for the offence punishable under Section 343 r/w Section 34 of the Indian Penal Code, to suffer rigorous imprisonment for 6 months and to pay fine of Rs.500/- each, in default of payment of fine, to suffer further rigorous imprisonment for 1 months;

- for the offence punishable under Section 385 r/w Section 34 of the Indian Penal Code, to suffer rigorous imprisonment for 6 months and to pay fine of Rs.500/- each, in default of payment of fine, to suffer further rigorous imprisonment for 1 month;

All the sentences were directed to run concurrently.

4            Learned counsel for the applicant submits that the applicant is a lady and is in custody since 2014. He submits that the applicant only accompanied her husband-Uday Katkar and that all the calls for ransom were made by her husband and not the applicant. He submits that having regard to the fact that the applicant is a lady and is in custody since last eight years, the applicant's sentence be suspended and she be enlarged on bail.

5            Learned A.P.P opposed the application.

6 Perused the papers, in particular, the evidence of PW 1 and PW 2. It appears that both the applicant and her husband-Uday Katkar had kidnapped PW 1's daughter and the daughter was found in Chhatisgarh and that the applicant was present along with her husband at that time. The evidence shows that it is applicant's husband i.e. the co-accused-Uday Katkar who was calling PW 1 and demanding ransom of Rs. 2,00,000/- for the release of PW 1's daughter.

7 Having regard to the fact that the applicant is a lady and she is in custody since 2014, the application is allowed and the applicant's sentence is suspended and she is enlarged on bail, pending the hearing and final disposal of her appeal, on the following terms and conditions:

**ORDER**

- i) The applicant be released on bail, on furnishing P.R. Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;

ii) The applicant shall report to the trial Court, once in three months on the day/date specified by the trial Court, till her appeal is finally disposed of;

iii) The applicant shall keep the trial Court informed of her current address and mobile contact number and/or change of residence or mobile details, if any, from time to time;

iv) If there are two consecutive defaults in appearing before the trial Court, the learned Judge shall make a report to the High Court and the prosecution would be at liberty to file an application seeking cancellation of bail.

8 The application is disposed of accordingly.

9 All concerned to act on the authenticated copy of this order.

**SHARMILA U. DESHMUKH, J.**

**REVATI MOHITE DERE, J.**