

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 2328 OF 2022****IN****CRIMINAL APPEAL NO. 745 OF 2022**

Raju Pandharinath Dusane

... Applicant/Appellant

**V/s.**

State Of Maharashtra

... Respondent

Ms. Vrushali L. Maindad Appointed Advocate a/w Shaheen Kapadia for Applicant/Appellant.

Ms. S. D. Shinde APP for Respondent-State.

**CORAM : A.S. GADKARI AND  
PRAKASH D. NAIK, JJ.**

**DATE : 29<sup>th</sup> NOVEMBER, 2022.**

**PC. :**

1. By the present Application, Applicant is seeking suspension of sentence and his release on bail.
2. Heard Ms. Maindad, learned Advocate appointed to represent Applicant. Perused record.
3. PW-2 is the star witness of Prosecution. He has deposed that, on 30<sup>th</sup> January, 2015 in the afternoon, he saw Applicant leaving his house hurriedly by putting latch on the door from outside. That, at the relevant time Applicant did not fasten buttons of his shirt and was in extreme hurry. Subsequently, at about 4 p.m. wife of PW-2 informed him that, Applicant has beaten his wife.
4. PW-7 Dr. Abhijeet Bandgar conducted autopsy on the dead

body of Smt. Savita Dusane i.e. wife of Applicant. He noticed eight chop wounds and three incised wounds. He had opined that, the death of Smt. Savita Dusane was due to multiple chop injuries.

Applicant has not offered any explanation about the theory propounded by the Prosecution of “Last Seen Together” in his house. The presumption as contemplated under Section 106 of the Evidence Act *prima-facie* squarely applies to the case in hand.

5. As noted earlier, the deceased had suffered eight chop wounds and three incised wounds and were grievous in nature. It prima-facie appears that, Applicant had committed murder of his wife in most brutal manner.

6. In view of the above, we are not inclined to release Applicant on bail.

[PRAKASH D. NAIK, J.]

[A.S. GADKARI, J.]