

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 850 OF 2019****IN****CRIMINAL APPEAL NO. 1746 OF 2019**

Hanshraj @ Haresh Babulal Gajara

... Applicant

V/s.

The State Of Maharashtra

... Respondent

Mr. Kishor D. Walanju Appointed Advocate for Applicant.

Mr. H. J. Dedhia APP, for Respondent-State.

**CORAM : A.S. GADKARI AND
MILIND N. JADHAV, JJ.****DATE : 4th AUGUST 2022.****PC. :**

1. This is an Application for suspension of sentence and releasing the Applicant on bail.

2. Applicant has been convicted under Sections 302, 307 and 201 of the Indian Penal Code (for short “the IPC”) and sentenced to suffer rigorous imprisonment for life by the learned Additional Sessions Judge, Raigad-Alibag in Sessions Case No. 9 of 2014 by its Judgment and Order dated 13th June 2019.

3. Present case is based on ocular evidence. Rushabh Gajara (PW.6) is a son of Applicant. Perusal of his evidence prima-facie indicates that, Applicant in a pre meditated manner committed murder of his wife i.e. mother of Rushabh Gajara (PW.6). At the time of alleged incident, when

Rushabh Gajara (PW.6) tried to save his mother, the Applicant also inflicted blows of knife on the neck of Rushabh Gajara (PW.6). The evidence of eye witness *prima-facie* appears to be a reliable and trustworthy.

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

Application is accordingly rejected.

[MILIND N. JADHAV, J.]

[A.S. GADKARI, J.]