

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

**INTERIM APPLICATION NO. 2060 OF 2023
IN
CRIMINAL APPEAL NO. 15 OF 2021**

Murgesh Pechi Muttu ... Applicant

versus

The State of Maharashtra and Another ... Respondents

.....

Mr. Stavan Telgote h/f. Mr. Prashant Gurav for the Applicant.

Mr. Yogesh Dabke, APP for the State.

.....

**CORAM : NITIN JAMDAR &
SMT. MANJUSHA DESHPANDE, JJ.**

DATE : 21 SEPTEMBER 2023

P.C.:

This is second application for bail. Therefore, it is placed before this Bench as one of us (Nitin Jamdar, J.) was party to the Bench which rejected the earlier bail application by order dated 8 July 2021.

2. Heard the learned Counsel for the Applicant and the learned APP.

3. The Applicant has filed an appeal challenging the judgment and order and the sentence passed by the learned Addl. Sessions Judge, Borivali Division, Dindoshi, Goregaon, Mumbai dated 2

November 2020 in Sessions Case No. 73 of 2013. The Applicant has been convicted for the offence punishable under section 302 of the Indian Penal Code.

4. As per the prosecution case on 19 December 2012, the Applicant assaulted his mother-in-law with a blade of scissor causing grievous injuries on hand, forehead, back and left hand. The victim was taken to the hospital and she was declared dead. There are two eye witnesses. The wife of the Applicant, that is, daughter of the deceased and the minor daughter of the Applicant, and the neighbours. As regards the evidence of the Applicant's wife is concerned, the same has been consistent and there is no reason to disbelieve the same. These aspects have been considered while rejecting the earlier bail application. No ground is made out to take a different view.

5. The interim application is rejected.

(SMT. MANJUSHA DESHPANDE, J.) (NITIN JAMDAR, J.)