

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

**INTERIM APPLICATION NO.3446 OF 2023
IN
CRIMINAL APPEAL STAMP NO.17352 OF 2023**

Puja Ajit Verma	... Applicant
vs.	
The State of Maharashtra	... Respondent

Mr. Sachin H. Deokar for the Applicant.
Mr. A. R. Patil APP for the Respondent-State.

CORAM : NITIN B. SURYAWANSHI, J.

DATED : 25TH OCTOBER 2023

P. C. :

1. This is an application for suspension of sentence and grant of bail during the pendency of Criminal Appeal preferred by applicant challenging the judgment of conviction.

2. Applicant is convicted by the Additional Sessions Judge, Raigad under Section 307 of Indian Penal Code in Sessions Case No.47 of 2016 vide judgment and order dated 10th July 2023, and sentenced to suffer rigorous imprisonment for seven years and to pay the fine of

Rs.10,000/-.

3. Learned Advocate for applicant submits that applicant is pregnant and her two daughters, namely, Dipti aged three years and Trupti aged one year are along with her, in jail. He further submits that applicant is carrying six months pregnancy.

4. This Court requested learned APP to verify these aspects and on verification, these aspects are found to be true and correct. Report to that effect issued by Superintendent of Nashik Road Central Prison is placed on record by learned APP. The same is taken on record and marked "X" for identification.

5. Considering aforestated facts and as sentence imposed on applicant is a short term sentence in the wake of decision of the Apex Court in the case of Bhagwan Rama Shinde Gosai and Ors. vs. State of Gujarat (1999) SCC (Cri.) 553, application deserves to be allowed. No exceptional grounds are made out for not granting this Application. Hence, the following order :

- (i) Application is allowed.
- (ii) Substantive sentence of imprisonment imposed vide

judgment and order dated 10th July 2023, in Sessions Case No.47 of 2016 is suspended during the pendency of the Appeal.

(ii) Applicant-Puja Ajit Verma be released on bail on executing PR bond in the sum of Rs.15,000/- with one surety in the like amount.

(iii) Fine amount be paid, if already not paid.

(iv) Applicants shall furnish residential address cell number to concerned police station.

(v) After six months, Applicant shall attend concerned police station once in a month on every Monday between 10 am to 12 noon.

[NITIN B. SURYAWANSHI, J.]