



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 991 OF 2022
IN
CRIMINAL APPEAL NO. 586 OF 2022

Parvatibai @ Mathurabai Babasaheb Borude ..APPLICANT

VERSUS

State of Maharashtra ..RESPONDENT

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Mr. D.G. Kamble, Advocate for applicant (appointed through Legal Aid)
Mr. A.R. Kale, A.P.P. for respondent - State

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CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ
DATE : 18th JULY, 2024

ORDER (PER : R.G. AVACHAT, J.) :

1. This is an application for suspension of sentence imposed by Additional Sessions Judge, Ahmednagar vide judgment and order dated 26th December, 2012 in Sessions Case No. 140 of 2010. Vide the impugned order, the petitioner has been convicted for the offence punishable under Section 302 of the Indian Penal Code and sentenced to suffer life imprisonment and to pay fine of Rs.500/- with default stipulation.

2. Learned A.P.P. has objection to allow the application for suspension of sentence on the ground that the petitioner threw her grand-daughter into the well as she wanted to have a grand-son. According to him, the offence is based on eye witness account.

3. There may be no dispute what has been submitted by learned A.P.P. However, considering the fact that the applicant, a lady of little over seventy years of age, has been behind the bars close to twelve years and it being the appeal of 2022, not likely to come up for final hearing in immediate future, the execution of substantive sentence of imprisonment to stand suspended, pending the appeal. The applicant be released on her executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount. Surety bond to be submitted post release from jail.

4. Criminal application stands disposed of accordingly.

(NEERAJ P. DHOTE, J.)

SSD

(R.G. AVACHAT, J.)