

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 867 OF 2024
IN
CRIMINAL APPEAL NO. 1773 OF 2019

Pradeepkumar C. Murugan .. Applicant
Versus
The State Of Maharashtra .. Respondent

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Mr. Yash Fadtare a/w Mr. Satyavrat Joshi, for the Applicant.
Ms. S. S. Kaushik, A.P.P. for the State/Respondent.

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CORAM : NITIN W. SAMBRE &
MANJUSHA DESHPANDE, JJ.
DATED : 1st OCTOBER, 2024

P.C:-

1. The Applicant/accused came be convicted for an offence for which the punishment is provided under Section 302 of the Indian Penal Code, as he allegedly murdered his own father.

2. In defence, the Applicant has taken shelter of Section 84 of the IPC thereby claiming that the offence was committed during such period when he was of unsound mind.

3. So as to establish his case in defence, he has examined two witnesses. DW-1, a Doctor from the Jail, a

Psychiatrist and DW-2 his own sister.

4. In addition to above, our attention is invited to the Prisoner's Medical Report pursuant to the proceedings taken up before the Maharashtra State Human Rights Commission, wherein it is claimed that the panel Doctor has certified that the Applicant was suffering from psychiatric illness and he needs continuous treatment in future.

5. Apart from the above, the contentions are having suffered incarceration for 9 years and 5 months, and the Appeal is not likely to be heard in the recent future, he is entitled to be released.

6. When confronted, the learned counsel for the Applicant seeks time till next week, so as to extend assistance to this Court on the issue of the considerations, which shall be prevailed in the matter of appreciating the defence set up under Section 84 of the IPC.

7. Stand over to 08.10.2024

8. The Applicant is permitted to collect the copy of depositions from the Record and Proceedings.

(MANJUSHA DESHPANDE, J.)

(NITIN W. SAMBRE, J.)