

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2063 OF 2024
IN
CRIMINAL APPEAL NO.96 OF 2015

Amol Arun Ukarande .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr.Sushan Mhatre for the Applicant.

Mr.S.V.Gavand, A.P.P. for the State/Respondent.

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CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 10th DECEMBER, 2024

P.C:-

1. Claiming parity with co-accused-Lally @ Raviraj Suresh Lengare, Jitendra Mohan Walmiki and Ganesh Hanumant Ghuge, who have been released on bail during the pendency of their Appeals, by suspending the sentences imposed upon them in Sessions Case No.276 of 2008, the Applicant has filed the present application, seeking an identical relief.

The Appeal filed by the Applicant is admitted on 22/01/2015 and is not taken up for hearing in the wake of the pendency of Appeals of the earlier years.

2. The Applicant, who is original Accused No.2, stood convicted for committing the offences punishable under

Sections 364, 365, 302, 342, 384, 201 read with Section 34 of IPC in Sessions Case, No.276 of 2008, when the learned Judge recorded a finding of guilt against him and has sentenced him accordingly. For his conviction under Section 302 of IPC, he has been sentenced to suffer life imprisonment.

3. The learned counsel representing the Applicant has invited our attention to the orders passed in the cases of the co-accused and, since, today itself we have considered the application of another co-accused, Dada alias Pravin Satish Pawar and deemed it appropriate to release him on bail, by suspending the sentence imposed upon him, on the ground of parity and by taking into consideration the specific role, which has been surfaced on record, it is argued before us that as far as the present Applicant is concerned, the only incriminating circumstance is, recovery of Rs.6,00,000/- from him. Mr.Gavand does not dispute this position and when specifically asked, whether the money recovered from the Applicant has any connect with the deceased or the person, who has paid it, his specific answer is in the negative.

Since during the trial, forty three witnesses were examined and hearing of the Appeal may consume considerable length of time, we deem it appropriate to secure the release of the Applicant on bail during the pendency of the Appeal, by suspending the sentence imposed upon him on 20/11/2012.

Hence the following order.

: ORDER :

(a) Applicant -Amol Arun Ukarande shall be released on bail, during the pendency of Criminal Appeal No.96 of 2015, on furnishing P.R. Bond to the extent of Rs.15,000/- with one or two sureties in the like amount.

(b) The Applicant shall mark his attendance in Kurduwadi Police Station, of first Monday of every trimester between 1.00 p.m. to 3.00 p.m., till the Appeal is finally disposed off.

(c) On being released on bail, the Applicant shall furnish his contact number and residential address to the In-Charge of Kurduwadi Police Station and keep him/her updated, in case there is any change.

4. Interim Application No.2063 of 2024 stands disposed of in the aforestated terms.

(MANJUSHA DESHPANDE,J.)

(BHARATI DANGRE, J.)