

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

**INTERIM APPLICATION NO. 3849 OF 2024
IN
CRIMINAL APPEAL NO. 1049 OF 2024**

Sadanand Yuvraj Potdar	..Applicant
Versus	
The State of Maharashtra	..Respondent

Mr. Vikrant V. Phatate for Applicant.
Mr. S. H. Yadav, APP for State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 24 SEPTEMBER 2024**

PC :

1. The Applicant was the original accused in Sessions Case No.176 of 2017 before the Additional Sessions Judge, Solapur. The learned Judge, vide his Judgment and order dated 29.07.2024 convicted the appellant for commission of offence punishable under section 306 r/w. 107 of the I.P.C. and sentenced him to suffer R.I. for two years and to pay a fine of Rs.5000/- and in default to suffer R.I. for six months. He was also convicted for commission of offence punishable U/s.498-A of the I.P.C. and was sentenced to suffer R.I. for one year and to pay a fine of Rs.5000/- and in default to suffer R.I. for six months. Both the sentences

were directed to run concurrently.

2. The prosecution case is that the deceased got married with the applicant on 12.02.2012. There are allegations that the applicant, his brother and mother were harassing her and suspecting her character. She was employed at a different place and, therefore, she had to travel to the village where she was employed. She was travelling from Akkalkot to Kurnur. There are allegations that the applicant was saying that she could not cook properly. The deceased committed suicide by consuming poison on 31.01.2016.

3. Learned counsel for the applicant submitted that the allegations against the applicant are vague. No specific instances are mentioned. The allegations are common against the applicant, his brother and mother. The brother of the applicant also faced the trial. He was acquitted. His mother passed away during the pendency of the trial. He further submitted that the allegations against the applicant will not attract the provisions of Section 498-A of the I.P.C., as well as, Section 306 r/w. 107 of the I.P.C. He

further submitted that the applicant was on bail during trial and he has not misused that liberty. The sentence is short and the Appeal is not likely to be decided during that period.

4. Learned APP opposed these submissions. He submitted that the reason for committing suicide by the deceased was that the applicant was suspecting her character and on that count he was harassing her.

5. The issues raised by both the parties will have to be decided at the final hearing stage. The sentence imposed is short. The appeal is not likely to be decided within that period. The applicant was on bail during trial. There are no allegations that he had misused that liberty. In this view of the matter, the applicant can be granted bail pending his appeal.

6. Hence, the following order:

ORDER

- i) During pendency and final disposal of Criminal Appeal No.1049 of 2024, the Applicant is directed to be released on bail on his furnishing

P. R. bond in the sum of Rs.30000/- with one or two sureties in the like amount.

ii) The Application is disposed of.

(SARANG V. KOTWAL, J.)