

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2537 OF 2024

IN

CRIMINAL APPEAL NO.810 OF 2015

Sadashiv Mallinath Pujari

.....Applicant

In the Matter in Between:

Sadashiv Mallinath Pujari

.....Petitioner

Vs.

The State of Maharashtra

.....Respondent

Mr. Sachin R. Pawar, for the Applicant/Appellant.

Mr. Aashish Satpute, APP for Respondent-State

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 10th MARCH 2025.

P.C.:-

1. This is the third bail application preferred by the Applicant seeking suspension of his sentence and enlargement on bail pending the hearing and final disposal of his aforesaid Appeal.

2. The Applicant's first bail application was rejected on merits vide order dated 6th April 2016 passed by this Court (Coram: Smt. V.K. Tahilramani and Smt. Anuja Prabhudessai, JJ.).

3. The Applicant's second Bail Application was also rejected by this Court (Coram: Shri Ranjit More and Shri Surendra P. Tavade,

JJ.), after observing that there is no change in circumstance, except passage of time. However, this Court whilst rejecting the said Application, expedited the hearing of the Appeal. Accordingly, the Registry was directed to place the aforesaid Appeal on the final hearing board, as per its turn.

4. Since, all the aforesaid judges have retired, the present application is placed before us. This is the third bail application preferred by the Applicant seeking suspension of his sentence and enlargement on bail.

5. The Applicant has been convicted for the offences punishable under Sections 302, 404 and 201 of the IPC. For the offence punishable under Section 302 of the IPC, the Applicant is sentenced to suffer imprisonment for life and to pay fine. Separate sentences have been awarded for the other offences and all sentences are directed to run concurrently.

6. From the evidence on record, it appears that the Applicant had abducted one Ranjana and murdered her and thereafter, misappropriated her jewellery and disposed off her body. The

deceased- Ranjana was working at the relevant time as a postmaster, at the Khelgar Post Office. On 30th March 2011 at about 7.30 a.m. Ranjana left her house to attend the office; and on the same date at about 01.30 p.m., PW-1- Sunanda (deceased's sister) received a phone call from the post office informing her that Ranjana had not reported for duty. Hence, PW-1- Sunanda lodged a missing report with the Satara City Police Station. It appears that after the police put the deceased's mobile on tracking mode, it was revealed that the Applicant was using Ranjanas's mobile handset, pursuant to which he was arrested. Pursuant to the disclosure statement made by the Applicant, skeleton/bones wrapped in a saree and a silver anklet were recovered at the instance of the Applicant from Ambenali Ghat. The saree as well as the anklet were identified by the deceased's sister- PW-1- Sunanda. Apart from this, the evidence on record shows that the deceased gold ornaments were recovered from a goldsmith, pursuant to the Applicant's disclosure statement. The evidence on record shows that the Applicant had sold some jewellery to PW-8 for Rs.2,42,000/-, as he was in need of money. The gold ornaments of the deceased were recovered from PW-8- Ashok Jain (the goldsmith) to whom the Applicant had sold them.

7. Considering the evidence on record, this is not a fit case to enlarge the Applicant on bail even though, the Applicant has undergone about 10 years of imprisonment.

8. We, in the facts, do not deem it appropriate to grant bail only on the ground of long incarceration, *dehors* the merits of the case i.e. without even touching the merits of the case.

9. We are also conscious of the fact that the Applicant is in custody for about 10 years, and hence, his appeal needs to be listed expeditiously. Hence, appeal to be listed at 04.00 p.m. on **16th June 2025**, for final hearing.

10. Accordingly, the Bail Application i.e. I.A. 2537 of 2024 is rejected with the aforesaid directions.

11. In the meantime, the registry to comply with the order dated 27th November 2024 passed by this Court (Coram: Smt. Bharati Dangre and Smt. Manjusha Deshpande J.J.) directing the registry to take steps for preparation of the paper book.

12. Registry to forthwith comply with the said order dated

27th November 2024 to ensure that the paper book is ready by the next date.

13. Application is disposed off.

(DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)