

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3603 OF 2025
IN
CRIMINAL APPEAL (ST) NO. 18193 OF 2025

Amol Pravin Ujagaonkar

... Applicant/Org. Accused.

Versus

The State of Maharashtra

... Respondent

Adv. P. Roy a/w Adv. Ulkesh Gangurde (through VC) and Adv. Rahul P. Sagar for the Applicant.
Dr. Ashish A. Takalkar, APP for the Respondent-State.

Coram : **M. S. Karnik &**
Ajit B. Kadethankar, JJ.

Date : November 25, 2025.

P. C. :

1. Heard learned Counsel for the Applicant and learned APP for the Respondent-State.
2. This is an Application for suspension of sentence and for releasing the Applicant on bail.
3. The challenge in this Application is to the judgment and order dated 18/19th June 2015 passed by the learned Additional Sessions

Judge, Ratnagiri. The Applicant has been convicted for offences punishable under Sections 363, 364, 369, 302 and 201 of the Indian Penal Code, 1860 ("IPC"). The Applicant has been sentenced to life imprisonment and a fine of ₹30,000/- has been imposed.

4. It is the prosecution's case that, on 20th May 2014, the Complainant sent her daughter (the deceased) and her son, Vrushabh, to school at about 8.40 a.m. The Complainant, along with other women, proceeded for agricultural labour work near the railway line. PW-5 informed the Complainant that she had seen the deceased on the Applicant's scooter and they were heading towards the Kadavai side. Subsequently, the deceased was found dead in a well, and the prosecution claims that the body was recovered at the instance of the Applicant. The Applicant was convicted on 18/19th June 2015.

5. Learned Counsel for the Applicant submits that even before the body of the deceased was claimed to have been recovered at the instance of the Applicant, the recovery panchanama had already been prepared. It is submitted that even considering the prosecution's case, the entire case rests solely on circumstantial evidence.

6. Our Attention is invited to the evidence of the Complainant contending it is highly improbable that the Applicant is connected with the alleged offence.

7. Learned APP, on the other hand, supported the impugned judgment and order. It is submitted that though the case is based on circumstantial evidence, the chain of circumstances and the evidence on record, clearly establish the involvement of the Applicant. Considering the serious nature of the offences for which the Applicant has been convicted, it is argued that the Applicant ought not to be released on bail. It is further submitted that the Appeal itself can be heard finally.

8. We find that although the Applicant was convicted on 18/19th June 2015, the Appeal was filed very recently, after a delay of 10 years. The delay of 10 years in filing the Appeal has been condoned by a separate order.

9. The Applicant is now in custody for more than 11 years. Considering the present pendency of matters, it may not be possible for us to hear the Appeal finally in the near future.

10. In view of the above, and considering that the Applicant has been in custody for over 11 years, we are inclined to suspend the sentence and release the Applicant on bail, subject to the following conditions:

11. In the light of above, we pass the following order :

[a] The sentence imposed on the Applicant by the learned Additional Sessions Judge, Ratnagiri, vide judgment and order dated 18/19th June 2015 in Sessions Case No. 23 of 2014, is

suspended, subject to the payment of the fine amount imposed under the said judgment and order dated 18/19th June 2015, until the final disposal of Criminal Appeal (St) No. 18193 of 2025.

[b] The Applicant be released on furnishing bail, subject to payment of the fine amount imposed vide judgment and order dated 18/19th June 2015, in the sum of ₹25,000/-, with one or more solvent sureties of the like amount, in connection with Sessions Case No. 23 of 2014.

[c] Till the Criminal Appeal is disposed of, the Applicant shall report to the Trial Court on the 1st Monday of every month commencing from January, 2026.

[d] The Applicant shall attend this Court when the appeal is listed for final hearing.

[e] The Applicant shall not leave the country without leave of this Court.

[f] The Applicant shall furnish address and contact details to the Trial Court.

12. Interim Application stands disposed of.

**TALLE
SHUBHAM
ASHOKRAO**

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]

Digitally signed by
TALLE SHUBHAM
ASHOKRAO

Date: 2025.11.25
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