

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.4182 OF 2024

Komal Sushil Kothere .. Applicant
Versus
The State of Maharashtra .. Respondent

WITH
INTERIM APPLICATION NO.381 OF 2025
IN
BAIL APPLICATION NO.4182 OF 2024

.....

- Mr. Vaibhav Kadam a/w. Mr. Shrinath Badade and Ms. Vedika Bhoir, Advocates for Applicant.
- Ms. Rajeshree V. Newton, APP for Respondent.

.....

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 02, 2025

P.C.:

1. Heard Mr. Kadam, learned Advocate for Applicant and Ms. Newton, learned APP for Respondent.

2. Application was heard by this Court on 03.01.2025 where due to medical ailment suffered by Applicant she was referred to Civil hospital and report was therefore directed to place on record.

3. Learned APP shall confirm the same and place the same before the Court. Applicant is young woman of 24 year old having two daughters aged 6 and 4 years old. She is indicted in crime under Section 302 for having been part of a conspiracy to murder her husband alongwith other co-accused persons. The case of prosecution

is that Applicant was involved with one of co-accused persons and therefore she may have taken part in the conspiracy.

4. Mr. Kadam has drawn my attention to witness statement of the mother of deceased – victim and one of the daughter of Applicant wherein they have stated that there is a suspicion against the mother i.e. Applicant.

5. *Prima facie* reading from the prosecution case it appears to be a case of circumstantial evidence which is borne out from the record. The case of prosecution is that on the fateful night of 12.04.2023 at about 12:30 a.m. both co-accused persons entered into the house of Applicant and assaulted her husband with an iron rod leading to heavy bleeding and injury caused to him. Prosecution case further is that one of the co-accused who was involved was having an extra-marital affair with Applicant. He was a tempo driver who used to transport vegetables and he knew the Applicant who was a vegetable vendor. That he alongwith his accomplices disposed of the body of deceased – victim in Kasara Ghat. This is what has been argued by Mr. Kadam as appearing from the charge-sheet.

6. Learned APP would ascertain the veracity of the submissions made by Mr. Kadam from prosecution case and accordingly apprise role of Applicant to the Court. Considering Applicant is a woman and having two minor daughters to provide care and support for the

Application shall be heard on the next adjourned date which shall be noted by the prosecution.

7. Stand over to **30th April, 2025.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
HANUMANT
SAWANT

Digitally signed
by HARSHADA
HANUMANT
SAWANT
Date:
2025.04.04
11:47:00 +0530