

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.5394 OF 2024

Sunita Guddusingh Yadav

.. Applicant

Versus

State of Maharashtra and Anr.

.. Respondents

.....

- Mr. Shriganesh Salba Sawalkar a/w. Ms. Vishruti G. Tari, Advocates for Applicant.
- Ms. Mahalakshmi Ganapathy, APP for Respondent.

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 11, 2025

P.C.:

1. Heard Mr. Sawalkar, learned Advocate for Applicant and Ms. Ganapathy, learned APP for Respondent.

2. Application is filed for seeking directions from the Court to refer the Applicant for treatment since it is stated in the Application that Applicant is having an unsound mind and mental issues.

3. Ms. Ganapathy, learned APP informs the Court that today itself she will be examined by the prison surgeon in the jail hospital where she is lodged and an appropriate report shall be made.

4. I have perused the records of the case. After the crime was committed and Applicant was incarcerated some time in the year 2020, she was examined for her medical status of mind between January – 2020 and March – 2020. The said papers form part of the charge-sheet filed by the prosecution which brings out the case of history of mental illness suffered by the Applicant. The said papers *prima facie*

shows that Applicant has had suicidal tendencies and has also attempted to strangle herself during stay at the Sir JJ Group of Hospital where she was admitted for psychiatric treatment in the Psychiatry department.

5. From that perspective, the present Application is filed. However while going through the papers, it is also seen that Applicant is a woman and incarcerated for past 5 years in the present crime under Section 302 of the Indian Penal Code, 1860. She is charged with committing murder of her husband. Prosecution is directed to inform the status of the trial. That apart, Chief Medical Officer of Kalyan Prison Hospital where Applicant is presently lodged is directed to ascertain the present medical status of the Applicant and inform the Court accordingly by making an appropriate report.

6. If the Chief Medical Officer feels that Applicant is required to be referred to Sir JJ Group of Hospital for ascertaining her medical status for any treatment that she may require, the same can also be done before the next adjourned date and an appropriate report be submitted by the Sir JJ Group of Hospital about medical condition of Applicant through the learned APP to enable this Court to take up this Application for hearing. Let the aforesaid exercise be carried out within a period of two weeks from today. The learned APP shall co-ordinate the aforesaid exercise.

7. Stand over to **26th March, 2025.** To be placed under the caption **‘First on Board’.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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