

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.716 OF 2025

IN

APPEAL NO.177 OF 2025

Navnath Pandurang Takmoge

...Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

Mr. Zaid Anwar Qureshi, for the Applicant.

Ms. S. D. Shinde, APP, for the Respondent No.1-State.

Ms. Aishwarya Sharma, for the Respondent No.2.

CORAM: MADHAV J. JAMDAR, J.

DATED : 13th JUNE 2025

P. C.:

1. Heard Mr. Qureshi, learned Counsel appearing for the Applicant, Ms. Shinde, learned APP appearing for the Respondent No.1-State and Ms. Sharma, learned Counsel appearing for the Respondent No.2.

2. By the present Interim Application, the Applicant is seeking bail and suspension of sentence of imprisonment imposed vide Judgment and Order dated 3rd February 2025, passed by the learned Additional Sessions Judge, Pune in Sessions Case No.186 of 2013.

3. The present Applicant i.e. Accused No.1 has been convicted under Sections 498A and 306 of the Indian Penal Code, 1860. The maximum punishment imposed is of 7 years.

4. It is the contention of Mr. Qureshi, learned Counsel for the Applicant that the F.I.R. has been lodged on 20th March 2012. The Applicant has been granted pre-arrest bail by the order dated 20th May 2012. Thereafter he has been convicted after a period of about 13 years by the Judgment and Order dated 3rd February 2025. He submits that on 14th March 2017, the Applicant has performed second marriage and that the Applicant is having two daughter aged 6 years and 4 months respectively from the second marriage. He submits that there is nobody else to maintain the Applicant's wife and daughters. He further submits that one daughter aged 6 years requires immediate operation. To substantiate the said contention, learned Counsel relied on the report dated 22nd May 2025 of Dr. Anjana Patil.

5. On the other hand, Ms. Shinde, learned APP appearing for the Respondent No.1-State and Ms. Sharma, learned Counsel appearing for the Respondent No.2 vehemently opposed the

Interim Application seeking bail and suspension of sentence. Both of them submitted that the material on record shows that the Applicant is involved in serious crime and therefore, the Interim Application be rejected.

6. Perusal of the record shows that the Applicant has been granted Anticipatory Bail by the order dated 20th May 2012. The Applicant has been convicted by the Judgment and Order dated 3rd February 2025 i.e. after a period of about 13 years and on that day he has been taken into custody. The Appeal filed by the Applicant is already admitted. The paragraph No.59 of the impugned Judgment and Order dated 3rd February 2025 shows that even the Applicant has also tried to die by suicide on the very date on which his wife has died by suicide. The Applicant is having two minor daughters. One of the daughter is of only 4 months.

7. Accordingly, Considering all these circumstances, the sentence of imprisonment awarded against the Applicant can be suspended. In view of this, the following order is passed:

ORDER

(a) The sentence of imprisonment imposed vide Judgment

and Order dated 3rd February 2025 passed by the learned Additional Sessions Judge, Pune in Session Case No.186 of 2013 is suspended during pendency of Criminal Appeal No.177 of 2025, preferred by the Applicant and the Applicant is directed to be released on bail on executing P.R. Bond in the sum of Rs.50,000/- with one or more solvent sureties in the like amount;

- (b) On being released on bail, the Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto;

8. Accordingly, the Interim Application is allowed in the aforesaid terms and disposed of.

[MADHAV J. JAMDAR, J.]

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