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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.2185 OF 2025
IN
CRIMINAL APPEAL NO.635 OF 2025**

1. Mayuri Sanjit Taak ..
2. Madhuri Sujit Taak .. Applicants

vs.

State of Maharashtra .. Respondent

Mr. A. R. Chikate with Tanmay Kate i/b V. V. Dushing for the Applicant.

Ms. Kranti T. Hiwrale APP for the Respondent-State.

**CORAM : SARANG V. KOTWAL &
SHYAM C. CHANDAK, JJ.**

DATE : 4th JULY, 2025

P C. :

1. This is an Application for bail pending Appeal preferred by the original Accused Nos.11 and 12 in Sessions Case No.105 of 2018 before the Additional Sessions Judge, Baramati, Pune. There were in all 15 accused. The learned trial Judge *vide* the Judgment and Order dated 30/04/2025 convicted the Applicants along with other accused under Sections 302, 341,

143, 148 and 506 read with 149 of I.P.C. The major sentence imposed on them was the life imprisonment.

2. The learned Counsel for the Applicants submitted that the Applicants are women and they were on bail during trial. On merits, they have a good case because they are not attributed any act of assaulting the deceased with any deadly weapons. They are roped in only because they are wives of the main accused. They have not even used any weapon. There was no recovery made at their instances. They were on bail during trial. They have not committed any offence. Their role is mentioned only by PW1-Meena Narwal. The other eye witness PW2-Usha Wadmare has not referred to their names at all. There are no allegations that they have misused their liberty while they were on bail during trial.

3. The learned APP opposed these submissions. According to her, the Applicants are convicted with the aid of Section 149 of I.P.C. Therefore, they were equally liable for the act committed by the main accused since they were the part of unlawful assembly.

4. We have considered these submissions and in particular, we have perused the evidence of two eye witnesses i.e. PW1 and PW2. PW1 was the wife of deceased. The incident occurred on 03/05/2018 at about 8.00 pm. The victim-Vinod Narwal and PW1 were returning back from a

temple. The accused Sanjit and Sujit stopped them. All the accused including the present Applicants encircled them. Out those accused Sanjit, Sujit, Ranjit and Ravi were having swords and Akash was having an axe. They started assaulting PW1's husband. The other accused started assaulting with stones, pipes, tile pieces and sticks. There is a specific reference to both these Applicants. According to PW1, both of them and one Usha Ghante started beating PW1. Vinod Narwal lost his life in that incident. PW2-Usha Wadmare has described the said incident. She has specifically named Ravi, Sanjit, Sujit and Akash and had attributed deadly weapons to them. There is general statement that there were other accused. However, she has not given any names. She has not stated that anybody was beating PW1. Therefore, there is no reference to the Applicants' presence directly or indirectly mentioned by PW2.

5. In this view of the matter there is substance in the submissions of the learned Counsel for the Applicants that besides the main accused, the other accused from entire family are possibly roped in. Moreover, the role attributed to these two Applicants is quite minor. PW2 has not referred to them at all. They were on bail during trial and there are no allegations that they have misused their liberty. Both of them are women. Considering all these aspects, we are inclined to allow this Application.

6. Hence, the following order :

ORDER

- (i) During pendency and final disposal of the Criminal Appeal No.635 of 2025, the Applicants are directed to be released on bail on their furnishing P.R. bond in the sum of Rs.25,000/- each, with one or two sureties each in the like amount.
- (ii) Interim Application stands disposed of accordingly.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)