

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

**INTERIM APPLICATION NO. 3415 OF 2025
WITH
INTERIM APPLICATION NO. 3888 OF 2025
IN
APPEAL NO. 618 OF 2025**

Amitkumar Lavkush Mourya

... Applicant

Vs.

The State of Maharashtra & Anr.

... Respondents

Mr. Kartik Garg for the Applicant.

Mr. Ashish I. Satpute, A.P.P. for the Respondent-State.

**CORAM : A. S. GADKARI AND
RANJITSINHA RAJA BHONSALE , JJ.
DATED : 12th NOVEMBER, 2025.**

P. C. :-

- 1) Both the above Applications are for suspension of sentence and releasing the Applicant on bail during the pendency of Appeal.
- 2) Heard Mr. Garg, learned counsel for the Applicant and Mr. Satpute, learned A. P. P. for the Respondent-State.
- 3) Applicant is convicted under Sections 302 and 506 of Indian Penal Code and is sentenced to suffer imprisonment for life by the learned Additional Sessions Judge, Kalyan in Sessions Case No. 267 of 2015 by its Judgment and Order dated 11th October, 2024.
- 4) As of today, the Applicant has undergone approximately 10

years, 11 months and 20 days of incarceration and the chances of the Appeal of the Applicant being taken up for final hearing in near future are remote.

5) In view of the guidelines issued by the Hon'ble Supreme Court in the case of (i) *Saudan Singh Vs. The State of Uttar Pradesh in Criminal Appeal No. 308 of 2022 [@ SLP (Crl.) No. 4633 of 2021], dated 25th February 2022* and the view expressed in cases of (ii) *Suleman Vs. The State of Uttar Pradesh, Criminal Appeal No. 491 of 2022 (Arising out of SLP (Crl) No. 1451 of 2022) dated 25th March 2022* and (iii) *Dinesh @ Paul Daniel Khajekar Vs. State of Maharashtra & Anr., Criminal Appeal No. 2987 of 2023 (Arising out of S.L.P (Crl.) No. 10320 of 2023) dated 25th September 2023*, the Applicant is entitled to be released on bail during the pendency of Appeal.

6) Hence, the following Order.

- (i) During the pendency of Appeal preferred by the Applicant, the substantive sentence imposed upon the Applicant vide Judgment and Order dated 11th October, 2024, passed by the Additional Sessions Judge, Kalyan, in Sessions Case No. 267 of 2015, is suspended and the Applicant is released on bail on his furnishing P.R. bond of Rs.30,000/- with one or two solvent local sureties in the like amount.

- (ii) After his release from Jail, the Applicant shall attend Mahatma Phule Chowk Police Station, Kalyan, District Thane, on every first Monday of each month between 10:00 am and 12:00 noon and mark his presence initially for a period of one year and thereafter on every first Monday of the every third calendar month between 10:00 am and 12:00 noon i.e. four times in a year till the disposal of Appeal.
 - (iii) Before his release from jail, the Applicant shall give his prospective residential address and the mobile and/or landline number on which he or his any close acquaintance can be contacted.
 - (iv) In case of breach of condition imposed upon the Applicant on two consecutive occasions, the prosecution is at liberty to file an Application for cancellation of bail, before this Court.
- 7) Interim Application No. 3415 of 2025 is allowed in the aforesaid terms.
- 8) Interim Application No. 3888 of 2025 is for the same relief as in Interim Application No. 3415 of 2025 and therefore no orders are necessary on it. It is accordingly disposed off.

(RANJITSINHA RAJA BHONSALE, J.)

(A. S. GADKARI, J.)