

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3651 OF 2025
IN
CRIMINAL APPEAL NO. 925 OF 2025

1) Meena Fulchand Jaiswar
2) Khushbu Fulchand Jaiswar ...Applicants

Versus

The State of Maharashtra ...Respondent

Mr. Veerdhawal Deshmukh i/b Mr. Sarthak P Shetty for the Applicants.

Mrs. P.P.Shinde, Addl.PP for the Respondent-State.

**CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.**
DATE : 15th OCTOBER, 2025

P.C. :

1. Heard learned Counsel for the applicants and learned Addl.PP for the Respondent-State.

2. By this interim application, the applicants seek suspension of their sentence and enlargement on bail, pending the hearing and final disposal of their appeal.

3. The applicants, alongwith another co-accused have been convicted vide Judgment and Order dated 13th August, 2025, passed by the learned Addl. Sessions Judge, Belapur in Sessions Case No.160 of 2023, for the offences punishable under Section 302 r/w 34 of the Indian Penal Code and have been sentenced to suffer rigorous imprisonment for life and to pay fine of Rs.500/-, in default, to suffer simple imprisonment for one month. In addition, the applicants have also been convicted for the offence punishable under Section 324 r/w 34 of the Indian Penal Code, and have been sentenced to suffer simple imprisonment for three years and to pay fine of Rs.500/- , in default, to suffer simple imprisonment for 15 days. Both the said sentences are directed to run concurrently.

4. Perused the evidence. It is the prosecution case that the

applicants, both ladies, assaulted the deceased – Shrikesh Yadav with wooden bamboos on his abdomen. Original accused No.1 Fulchand alongwith juvenile accused – Rohit are alleged to have assaulted the deceased with an iron rod and wooden bamboo stick respectively. It appears from the evidence that has come on record that there was a dispute between two families i.e. the applicants' family and the deceased's family, pursuant to which, the incident dtd. 13th May, 2020 took place. In the said incident, the applicants are stated to have assaulted deceased – Shrikesh with wooden bamboos. The applicants are also alleged to have assaulted PW-1 – Brijesh Yadav. The injuries sustained by PW-1 are simple in nature.

5. As far as the injuries sustained by the deceased -Shrikesh are concerned, it appears that he sustained an injury on his head over the left parieto occipital region and two abrasions, one over lower abdomen and one over the left forearm. Admittedly, the deceased – Shrikesh died after 14 days, of the incident. The cause of death is stated to be *'Bilateral Lobar Pneumonia and Septicemia as a*

complication of head injury in an alleged case of assault.”

6. The applicants are in custody for about five years. Both the applicant Nos.1 and 2 are ladies i.e. mother and daughter. The applicant No.2 was a student at the relevant time.

7. Considering the nature of allegations *qua* the applicants and the fact, that the appeal is not likely to be heard in the immediate near future and that the applicants are ladies, the application is allowed and the applicants' sentences are suspended and they are enlarged on bail, pending the hearing and final disposal of their appeal, on the following terms and conditions;

ORDER

- i) The applicant No.1 – Meena Fulchand Jaiswar and applicant No.2 – Khushbu Fulchand Jaiswar be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 15,000/- each with one or two sureties in the like amount;
- ii) The applicants shall report to the trial Court,

once in six months on the day/date specified by the trial Court, till their Appeal is finally disposed of;

iii) The applicants shall keep the trial Court informed of their current addresses and mobile contact numbers and/or change of residence or mobile details, if any, from time to time;

iv) The applicants shall not contact any witness concerned with the case, during the said period;

v) If there are two consecutive defaults in appearing before the trial Court, the learned Judge shall make a report to the High Court and the prosecution would be at liberty to file an application seeking cancellation of bail.

8. The Application is allowed in the aforesaid terms and is accordingly disposed of.

9. All concerned to act on the authenticated copy of this order.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.