



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**914 CRIMINAL APPLICATION NO. 997 OF 2026
IN CRIMINAL APPEAL NO. 180 OF 2026**

Vishal Madhavrao Dongare
Age : 32 years, Occu: Doctor,
R/o : Swami Vivekanand Nagar,
Degllor Road, Udgir, District Latur.
The accused is in Latur District Prison,
Latur.

... Applicant

Versus

The State of Maharashtra,
Through Police Inspector,
Police Station, Jalkot, Taluka Jalkot,
District Latur.

... Respondent

.....
Advocate for Applicant : Mr. Nikhilesh K. Tungar
APP for Respondent-State : Mr. V. M. Jaware

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 24 MARCH, 2026

PER COURT :-

1. Instant application is for suspension of sentence and grant of bail by virtue of judgment and order of conviction dated 10.03.2026 recorded by learned Additional Sessions Judge, Udgir, District Latur in Sessions Case No. 13 of 2013.

2. Learned counsel pointed out that applicant faced trial for offence under Sections 498-A, 304-B, 504 r/w 34 of IPC but he came

to be convicted for offence under Sections 498-A and 306 of IPC by awarding sentence of five years and two years respectively, for each of the offence. According to him, marriage is of 2009, but in the rage of anger, only in the backdrop of liquor addiction of husband, wife set herself ablaze and succumbed to the burn injuries. He further pointed out that there are three dying declarations. That, in the first dying declaration, she gave statement that husband tried to extinguish the fire. Thus, according to him, only on the strength of dying declarations, there is conviction. He also pointed out that, for the first time allegations of demand are raised in the third dying declaration. According to him, as appeal would take sufficiently long time to be heard and concluded, during its pendency he urges for relief of suspension of sentence and grant of bail.

3. Learned APP would put up stiff resistance on the ground that upon full-fledge trial and on complete appreciation of evidence, conviction has been recorded. According to him there are three consistent dying declarations. On above grounds, relief is opposed.

4. Heard. Perused the papers. It emerges thereupon that, present applicant faced trial vide Sessions Case No. 13 of 2013 for charges under Sections 498-A, 304-B, 504 r/w 34 of IPC but he came to be

convicted for offence under Sections 498-A and 306 of IPC by judgment and order dated 10.03.2026. Against the same, appeal has been preferred recently. Statement is made across the bar that applicant was on bail during trial. Taking into account that conviction is based on three dying declarations and that, in the very first one, which falls in chronology, deceased reported that husband attempted to douse the fire, and the fact that wife set herself ablaze in the rage of anger on account of liquor addiction of husband, and also taking into account the fact that some more time would be required to hear the appeal, relief as prayed deserves to be granted. Hence, the following order :

ORDER

- I. Criminal Application stands allowed.
- II. The substantive sentence imposed on the applicant Vishal Madhavrao Dongre in Sessions Case No. 13 of 2013 by the Additional Sessions Judge, Udgir, District Latur on 10.03.2026 stands suspended till the final hearing and disposal of Criminal Appeal No. 180 of 2026.
- III. The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with two solvent sureties in the like amount.

- IV. The applicant shall not commit any criminal activity.
- V. The applicant shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date he tenders bail papers and thereafter, the trial Judge to fix dates for his subsequent appearances.
- VI. In case of two consecutive defaults on the part of the applicant to remain present before the trial court, the trial court to inform this court about the same and in that eventuality, the prosecution would be at liberty to file an application for cancellation of bail granted to the applicant.
- VII. Bail before the trial court.

[ABHAY S. WAGHWASE, J.]

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