

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

**Interim Application No.302 of 2024
In
Criminal Appeal No.332 of 2016**

Bharat Babulal Gulge ... Appellant.
Vs.
State of Maharashtra ... Respondent.

Mr Sachin Salunkhe (through VC) a/w Ms Saloni Sarguru
for the appellant.
Ms Gauri Rao, APP for the respondent/ State.

**Coram : M.S. Karnik &
R.N.Laddha, JJ.
Date : 21 April 2026.**

P.C. :

1. Ms Tanvi Tapkire, learned Counsel who was earlier appearing for the applicant is discharged.
2. Heard learned Counsel for the appellant and learned APP for the State.
3. The present application seeks suspension of sentence and grant of bail. The prosecution case, in brief, is that the incident in question occurred on 16/06/2010, wherein the

appellant is alleged to have committed the murder of Taramati @ Sunita Ashok More and attempted to commit the murder of Nikhil Ashok More, both residents of Room No. 5, Mahadev Building, Dhavade Vasti, Bhosari, Pune. It is further alleged that the appellant committed theft of cash and gold ornaments valued at Rs.45,500/- from the said premises and wrongfully confined Nikhil Ashok More by locking the door from outside. It is also alleged that, in order to screen himself from legal punishment, the appellant caused disappearance of evidence by pouring kerosene on the dead body of Taramati and on Nikhil.

4. The appellant came to be arrested on 16/06/2010. By judgment and order dated 21/02/2015, the learned Sessions Judge, Pune, convicted the appellant under Section 302 of the Indian Penal Code and sentenced him to suffer imprisonment for life and to pay a fine of Rs.2,000/-, in default to undergo simple imprisonment for four months. The appellant was further convicted under Section 380 of the IPC and sentenced to undergo rigorous imprisonment for three years and to pay a fine of Rs.1,000/-, in default to undergo simple imprisonment for two months; under Section 342 of the IPC, to undergo imprisonment for one

year and to pay a fine of Rs.500/-, in default to undergo simple imprisonment for one month; and under Section 201 of the IPC, to undergo imprisonment for three years and to pay a fine of Rs.2,000/-, in default to undergo simple imprisonment for four months.

5. The learned APP opposed the application for suspension of sentence and grant of bail, contending that the appellant has committed serious offences and hence, the application be rejected.

6. We note that having regard to the pendency situation, the appeal is likely to take some time to be heard finally. It is not possible to give an out of turn hearing considering that old appeals are pending.

7. We have considered the submissions and the material on record. It appears from the record that the appellant has undergone actual incarceration for more than 17 years. It is also brought to our notice that, while on COVID parole, the appellant did not surrender within time and was consequently re-arrested on 22/11/2023, for which he has already undergone the consequences in accordance with law.

8. Having regard to the period of incarceration undergone by the appellant, we are inclined to suspend the substantive sentence and enlarge the appellant on bail. Hence, the following order:

ORDER

1. The interim application is allowed.
2. The substantive sentence of imprisonment imposed by the judgment and order dated 21/02/2015 passed by the learned Additional Sessions Judge, Pune, in Sessions Case No. 674 of 2010, is hereby suspended during the pendency of the appeal, and the appellant shall be released on bail on furnishing a PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount.
3. The appellant shall report to the concerned police station on the first Monday of every month between 11:00 a.m. and 1:00 p.m., commencing from May 2026.
4. The interim application stands disposed of in the above terms.

[R. N. Laddha, J.]

[M. S. Karnik, J.]