

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 2389 OF 2025****IN****CRIMINAL APPEAL NO. 727 OF 2025**

Sanjay Gulbya Kharpade

... Applicant

V/s.

State of Maharashtra

... Respondent

Mr. Rajesh Bhosle, Appointed Advocate for Applicant.Mr. Vinod Chate, A.P.P. for Respondent-State.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.****DATE : 5th March 2026****P.C. :**

1) This is an Application for suspension of sentence and releasing the Applicant on bail, during the pendency of Appeal.

2) The Applicant is convicted under Section 302 of the Indian Penal Code and sentenced to suffer imprisonment for life by the learned Ad-hoc District Judge-1 and Additional Sessions Judge, Thane, in Sessions Case No. 297 of 2018, by its Judgment and Order dated 25th March 2022.

3) Perusal of record indicates that, the Applicant was trying to establish illicit relations with PW No.1. The said relations were opposed by all her family members and in particular deceased i.e. Suman, who was

mother of PW No.1. It is alleged that, on the date and time of the incident, Applicant assaulted the deceased Suman with a sharp edged weapon.

4) Dr. Pankaj Kale (PW 6) performed autopsy on the deceased. He noticed four external injuries. The said external injuries were corresponding to the internal injuries. It appears from the evidence on record that, the intestines of the deceased were perforated due to stab wounds caused by the Applicant.

4.1) Dr. Kale has opined that, the probable cause of death was due to haemorrhagic shock due to multiple injuries over the inter abdominal organs like stomach, small and large intestine with liver, spleen and kidney.

5) There is an oral dying declaration given by deceased to PW No.2. Certain admissions which are detrimental to the interest of the Applicant have also been brought on record in the cross-examination of PW No.2.

6) After perusing the record, we *prima facie* find that, the observations made by the trial Court in para No. 25 of the impugned Judgment that, this is a cold blooded and brutal murder, are correct.

7) In view of the above, we find that, there are no merits in the Application and is accordingly dismissed.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)