



a-727-2025

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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPLICATION NO. 727 OF 2025**

**IN CRIMINAL APPEAL NO. 416 OF 2025**

(Dharmendra s/o Ramjiyayan Shahu Vs. State of Maharashtra)

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.

Court's or Judge's orders.

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Ms Sonali Saware – Gadhwane, Counsel for the applicant/  
appellant (appointed).

Mr. S.S. Doifode, A.P.P. for the non-applicant/respondent/  
State.

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**CORAM : ANIL L. PANSARE AND**  
**NIVEDITA P. MEHTA, JJ.**  
**JANUARY 14, 2026**

The applicant is seeking to suspend the sentence and to release him on bail. He has been convicted for the offence punishable under Section 307 of the Indian Penal Code, 1860 (IPC), and sentenced to suffer life imprisonment and to pay fine of Rs.5,000/-.

2] The applicant is blamed to have assaulted his mother-in-law. Amongst other evidence, the testimony of victim is relied upon heavily.

3] We have gone through her evidence. It indicates that PW1 – Antakala's daughter and applicant got married in the year 2015. According to her, the applicant was harassing her daughter, who wanted to take education. Her daughter came to her, and started residing with her. On 3/11/2021, at around 3:00 pm, the applicant came to her house and said, why is she not allowing him to meet her daughter. The applicant was under the influence of liquor. He started hurling abuses to

her. Her daughter had been to Wardha for police training. PW1 was alone in the house. The applicant threw chilly powder on her face. He stabbed her by knife in stomach. She shouted loudly. Neighbors gathered. The applicant fled away. Knife was stuck in her stomach. Her neighbor shifted her to Mayo Hospital. Police recorded her statement, and lodged report.

4] In cross-examination, the first part is on ingredients of Section 498A of IPC. So far as the incident is concerned, the applicant put up a case that in Kitchen, she (PW1) fell on knife, and accordingly, knife got stuck in her stomach. So far as chilly powder is concerned, the applicant put up a case that chilly powder fell on her face. Lastly, it is suggested that the applicant is being falsely implicated to sever relationship between the two. The suggestions have been denied by PW1.

5] Thus, the testimony of PW1 remained unshaken. She withstood cross-examination.

6] The argument is that motive behind crime is not proved and, therefore, conviction is unsustainable.

7] We do not find any merit in the submission. It is well settled principle in criminal jurisprudence that when ocular testimony inspires confidence of the Court, the prosecution is not required to establish motive, and mere absence of motive would not impinge on testimony of reliable eye-witnesses. The said principle is re-iterated by the Hon'ble Supreme Court in the case of *Chandan Vs. State (Delhi Admn.) [(2024) 6 SCC 799]*.

8] Thus, the argument that in absence of motive behind crime conviction cannot be sustained, is devoid of merit.

9] In view of above, and considering the overwhelming nature of evidence, the applicant failed to make out a case for suspension of sentence.

10] The application is rejected.

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11] List as per turn.

(JUDGE)

(JUDGE)

Sumit