



Sessions Case No.879/2019
(CNR No. : MHPU01-013840-2019)

State of Maharashtra
Vs.
Babu Shaikh

COMMON ORDER BELOW EXH. 3

1] This is an application by Babu Raju Shaikh for temporary bail under Section 439 of Code of Criminal Procedure in respect of Crime No.404/2019, registered under Section 302 of Indian Penal Code, at Police Station, Sinhgad Road, Pune.

2] Applicant submits that, in the present situation of Pandemic of Covid-19, he may be granted benefit of guidelines of Hon'ble High Power Committee of High Court, Bombay and he may be released on temporary bail.

3] Learned APP Mr.Javed Khan appeared for State and filed his say to the application. He submits that, Applicant has committed murder of his wife. Son of Applicant who is minor is the eye witness. Sufficient prima facie material is available against the Applicant. Intention of the Applicant can clearly be seen through the available material. There are strong chances of tampering and abscond. Therefore, he prays for rejection of the application.

4] Perused the temporary bail application and heard the learned APP Mr.Javed Khan for the State. Perused the Papers.

5] As per charge-sheet, Applicant/accused committed murder of his wife by constricting her throat and hitting her head on earth. There is statement of son of Applicant who witnessed this incident. There was history of ailment to the wife of Applicant and on her discharge from the hospital, the incident had taken place. Prima facie intentional act of the Applicant is seen. The key witness is the minor son of Applicant. Therefore, if applicant is released on temporary bail, there are strong chances of tampering. In such scenario, the benefit of guidelines of Hon'ble High Power Committee of High Court, Bombay, cannot be extended to the present Applicant. Hence, the following order.

ORDER

1] Application is rejected.

Pune.

Date : 03/06/2020.

(Smt. A. V. Rotte)

Additional Sessions Judge, Pune

C E R T I F I C A T E

I affirm that the contents of this P. D. F. file Order are same word for word as per original Order.

Name of the Court :- Smt. A. V. Rotte,
District Judge –2 and
Additional Sessions Judge, Pune

Name of the Steno :- Shri. D. L. Gudde
Stenographer (Grade-I)

Date of Order :- 03/06/2020

Order signed by
presiding officer :- 03/06/2020

Order uploaded on :- 03/06/2020.