



ITEM NO.2

COURT NO.7

SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Criminal Appeal No. 688/2026

RAJKUMAR BANJARE

Appellant(s)

VERSUS

STATE OF CHHATTISGARH

Respondent(s)

[FOR CONSIDERATION OF BAIL APPLICATION]

IA No. 25352/2026 - CONDONATION OF DELAY IN FILING

IA No. 25348/2026 - EXEMPTION FROM FILING O.T.

Date : 09-03-2026 This matter was called on for
hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Appellant(s) : Ms. Arundhati Katju, Sr. Adv.
Ms. Maheravish Rein, Adv.
Ms. Shristi Borthakur, Adv.
Mr. Aldanish Rein, AOR

For Respondent(s) :Mr. Vinayak Sharma, Standing
Counsel, Adv.
Mr. Ravinder Kumar Yadav, AOR
Mr. Yashwardhan Shah, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. The appellant-convict was put to trial in the Court of Sessions Judge, Mahasamund in Sessions Case No. 33 of 2017 for the offence punishable under Section 302 of the Indian Penal Code, 1860 (for short, "the IPC").

2. It is the case of the prosecution that the appellant husband poured kerosene oil on the body of his wife i.e., the deceased and set her on fire.

3. The Trial Court held the appellant guilty of the alleged crime of murder and sentenced him to undergo life imprisonment with fine of Rs.1,000/-

4. The appellant, being dissatisfied with the

judgment and order of conviction passed by the Trial Court, went in appeal before the High Court. The High Court dismissed the appeal and thereby affirmed the judgment and order of conviction.

5. In such circumstances, referred to above, the appellant is here before us.

6. We have already admitted the appeal.

7. Today, the matter has come up to consider the plea for bail pending the final disposal of the appeal.

8. We heard Ms. Arundhati Katju, the learned senior counsel appearing for the appellant-convict and Mr. Vinayak Sharma, the learned counsel appearing for the State.

9. It appears from the materials on record that the conviction is by and large based on a dying declaration made by the deceased in the hospital.

However, we also take notice of the fact that there are, in all, three dying declaration. In the first two dying declarations, the deceased very clearly said that accidentally she suffered burn injuries. It is only in the third dying declaration, which was recorded almost after five days, that she implicated her husband.

10. We need not observe anything further at this stage as the appeal is pending before us.

11. However, having regard to the fact that the appellant is undergoing sentence past almost more than 10 years, we order that he be released on bail pending the final disposal of his appeal before us subject to terms and conditions that the Trial Court may deem fit to impose.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)