

ITEM NO.9

COURT NO.4

SECTION IIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (CRL.) NO(S). 10062/2016
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 26/09/2016
IN CRLA NO. 737/2016 PASSED BY THE HIGH COURT OF BOMBAY)

SOMNATH SAIYAJI GAIKWAD

PETITIONER(S)

VERSUS

STATE OF MAHARASHTRA
(WITH INTERIM RELIEF AND OFFICE REPORT)

RESPONDENT(S)

Date : 06/04/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s)

Mr. Vinay Navare, Adv.
Ms. Gwen Karthika, Adv.
Ms. Abha R. Sharma, Adv.

For Respondent(s)

Mr. Nishant Katneshwarkar, Adv.
Ms. Deepa Kulkarni, Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed
order.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.637 OF 2017
[Arising out of Special Leave Petition
(Criminal) No.10062/2016]

SOMNATH SAIYAJI GAIKWAD . . . APPELLANT

VERSUS

STATE OF MAHARASHTRA . . . RESPONDENT

ORDER

1. We have heard the learned counsel for the petitioner as well as the learned counsel for the State of Maharashtra.
2. Leave granted.
3. The accused appellant who has been convicted under Section 307/34 IPC and sentenced to undergo life imprisonment has undergone custody for a period of over seven years (including remissions). All

co-accused have been released on bail. In fact, the co-accused mentioned by P.W.7 in his deposition, on the basis of which statement the High Court had thought it proper to refuse bail to the accused appellant, has also been granted bail. In the aforesaid circumstances and taking into account the period of custody suffered and the likely period of time that would be taken for disposal of the appeal pending before the High Court we are of the view that the accused appellant should be released on bail. We order accordingly. Therefore, the appellant is ordered to be released on bail to the satisfaction of the learned Additional Sessions Judge, Pune in Sessions Case No.577 of 2010.

4. The learned Additional Sessions Judge, Pune is free to impose appropriate condition(s) as he deems fit.

5. Consequently, the order of the High Court is set aside and the present appeal is disposed of in the above terms.

.....,J.
(RANJAN GOGOI)

.....,J.
(NAVIN SINHA)

NEW DELHI
APRIL 06, 2017