

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

**CRIMINAL APPEAL NO.144 OF 2015
WITH
CRIMINAL APPLICATION NO.133 OF 2015
IN
CRIMINAL APPEAL NO.144 OF 2015**

Mr.Shirish Madhukar Salvekar ... **Appellant**
V/s.
The State of Maharashtra ... **Respondent**

.....
Mr.Pawan Mali i/b. Ganesh Bhujbal, Advocate for the Appellant
Mrs.M.R.Tidke, APP for the Respondent/State.

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CORAM : ABHAY M. THIPSAY J.

DATED : 9TH FEBRUARY, 2015

P.C.

1. Heard.
2. Admit.
3. It appears that the learned trial Judge has suspended the substantive sentence imposed upon the applicant/appellant '**till further direction from this Court**'. This is reflected in the copy of the roznama dated 09/01/2015. This was not proper. The learned Special Judge could have suspended the sentence only for a specified period. By passing an order of this type, the learned Special Judge has suspended the sentence indefinitely, and has

thus done away with any requirement on the part of the appellant to seek any orders from this Court or even to file an appeal against his conviction-for that matter.

4. This be brought to the notice of the learned Judge.

5. Any way, it is now ordered that pending the hearing and final disposal of the appeal, the substantive sentence imposed upon the applicant shall stand suspended and the applicant/appellant shall be released on the same bail as granted by the trial Court, but on executing a fresh bond.

6. In view of this, the Criminal Application stands disposed of.

(ABHAY M. THIPSAY J.)