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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.227 OF 2015
IN
CRIMINAL APPEAL NO.204 OF 2014

Santosh Uttam Pawar ... Applicant.

V/s.

The State of Maharashtra Respondent

Ms. Nasreen Ayubi, appointed advocate for the Applicant.

Mr. H. J. Dedhia, A.P.P., for the Respondent-State.

CORAM : P.V.HARDAS &
DR. SHALINI PHANSALKAR-JOSHI, JJ.

DATE : 15TH APRIL, 2015.

P.C. :

1. This application has been sent by the applicant from jail requesting that a counsel from the Legal Aid Panel be appointed to represent him in this application as well as to represent the applicant in the pending Criminal Appeal No.204 of 2014.

2. The applicant has also prayed that he be released on bail pending the decision of the appeal in the light of the fact that the applicant is a patient suffering from HIV.

3. The learned APP has tendered before us a report submitted by the Medical officer of Kolhapur Central Prison which is taken on record

and marked "X" for identification. As per report, the applicant is being provided with the medical treatment as well as a special diet as prescribed by the Medical officer.

4. In the light of that matter, therefore, we are not inclined to suspend the substantive sentence of imprisonment and release the applicant on bail. However, since the paper book has been received and the appeal is ready for hearing, we direct that the appeal be added to the final hearing board at its appropriate place on the board from 5th May, 2015 with liberty to the learned counsel appointed for the applicant to request for a fixed date of hearing.

5. Application is accordingly dismissed with the aforesaid directions.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[P.V.HARDAS, J.]