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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 494 OF 2015
IN
CRIMINAL APPEAL NO. 443 OF 2012

Samrat Laxman Gaikwad

.. Applicant

Versus

State of Maharashtra

.. Respondent

None for the applicant.

Mrs. Sangeeta D. Shinde, APP for State.

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

APRIL 23, 2015.

P.C.

1. None had appeared on behalf of the applicant when this application was called out for hearing. However, this application was on board on 22/04/2015 and it was argued on behalf of the learned counsel for the applicant and, therefore, in the absence of the learned counsel for the applicant, in our opinion, this application can be decided.

2. By this application, the applicant has prayed that he may be granted temporary bail in order to attend the marriage of his brother, which is scheduled to be solemnized on 27/04/2015 at 1.05 p.m. The marriage is scheduled to be solemnized at Baliraj Mangal Karyalay, Kalewadi, Rahatani, Pimpri, Pune 411 017. We were informed that the applicant is presently lodged in the Yerwada Prison at Pune.

3. It further appears that the application filed by the applicant seeking suspension of the substantive sentence of imprisonment and his release on bail had been rejected by this court. However, the applicant had been released on parole / furlough and the learned APP is unable to state before us if the applicant had misused the discretion exercised by the authorities by releasing the applicant on parole / furlough.

4. Since the brother of the applicant is to be married on 27/04/2015, we allow this application and suspend the substantive sentence of imprisonment and direct that the applicant be released on bail from 24/04/2015 till 29/04/2015 on the applicant executing a PR bond in the sum of Rs.30,000/- with one or two sureties in the like amount to the satisfaction of the trial court. The applicant, on his release, shall report his

attendance at the Pimpri Police Station on 28/04/2015 and shall surrender to his bail in the evening of 29/04/2015,

5. Application is allowed as indicated above.

6. Copy of this order duly authenticated be provided to the parties to act upon.

(DR. SHALINI PHANSALKAR-JOSHI,J.)

(P. V. HARDAS,J.)