

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1082 OF 2014

IN

CRIMINAL APPEAL NO.1380 OF 2012

KIRAN @ BOKYA RAJU KAMBLE)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mr.Harshwardhan Akolkar, Advocate for the Applicant.

Mr.S.A.Pilankar h/f. Mr.U.P.Warunjikar, Advocate for Original Complainant.

Mrs.S.V.Gajare, APP for the Respondent - State.

CORAM : ABHAY M. THIPSAY, J.

DATE : 23rd FEBRUARY, 2015.

P.C. :

1 Heard Mr.Harshwardhan Akolkar, the learned counsel for the applicant. Heard Mrs.S.V.Gajare, the learned APP for the State. Heard Mr.S.A.Pilankar, the learned counsel appearing on behalf of the original first informant.

2 The applicant has been sentenced to suffer Rigorous Imprisonment for 5 years and to pay a fine of Rs.5,000/-. He has been in custody and has suffered an actual sentence of more than 2 years. He is seeking suspension of the sentence imposed upon him only temporarily for a period of two days.

3 Considering all the relevant aspects of the matter, I am inclined to allow the application.

4 The substantive sentence imposed upon the applicant shall stand suspended till 26th February 2015. The applicant shall be released on bail in the sum of Rs.30,000/- with one surety in like amount, or cash deposit in lieu of surety, on the condition that he shall surrender before the Prison Authorities before 5.00 p.m. on 26th February 2015.

5 The Prison Authorities shall report the fact of surrender of the applicant to this court.

6 The application is allowed in the aforesaid terms and is disposed of.

7 Liberty to the applicant to apply for suspension of sentence during the hearing and final disposal of the appeal, after surrendering himself before the Prison Authorities, in accordance with this order.

(ABHAY M. THIPSAY, J.)