

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1590 OF 2015
IN
CRIMINAL APPEAL NO. 594 OF 1995

1) Vishwas Nana Kamble)
2) Bhanudas Nana Kamble).. Applicants

vs.

1. The State of Maharashtra... Respondents
2. Janabai Dilip Jarande

ALONG WITH
CRIMINAL APPLICATION NO. 1591 OF 2015
IN
CRIMINAL APPEAL NO. 639 OF 1995

1) Baban Maruti Kamble
2) Suresh Maruti Kamble .. Applicants
vs.
The State of Maharashtra .. Respondents

Mr. Rahul Kadam, Advocate for the applicants (in both the applications)
Ms. A.A.Mane, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 23rd December, 2015.

P.C.

The applicants herein are convicted for the offence punishable under Section 326 read with Section 149 of Indian Penal Code and are sentenced to suffer R.I. for three years and fine of Rs.1,000/- each in default

further R.I. for one year in Sessions Case No.13 of 1994 by the Addl. Sessions Judge, Baramati, vide judgment and order dated 18.10.1995.

2. Being aggrieved by the said judgment and order, the applicants had filed the present Criminal Appeals. The applicants were taken into custody.

3. At the time of admission of appeals, this Court was pleased to suspend the substantive sentence and has granted bail by an order dated 5.12.2015. As under trial prisoner the applicant in Criminal Appeal No.639 of 1995 was in jail for about six months. Since the Advocate engaged by the applicants did not prosecute the appeal diligently, this Court was constrained to issue non-bailable warrants against the applicant by an order dated 5.12.2015. The non-bailable warrant was executed before this Court on 16.12.2015. The applicants were taken into custody on 16.12.2015 and are in custody. The applicants have now engaged learned Advocate Shri Rahul Kadam to espouse their cause. The learned counsel engaged by the applicants gives an undertaking that he will conduct the matter in the 2nd week of January, 2016.

4. The Applicant in Criminal Application No.1590 of 2015 was enlarged on bail by this Court on 8.11.1995. He was in custody as under

trial prisoner for a period of six months. By virtue of the non-bailable warrant, he was taken into custody on 16.12.2015 and continues to be in custody.

4. In view of this, the applicants be released forthwith on each furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount.

5. Parties to act on authenticated copy of this order.

Both the applications stand disposed of.

(SMT.SADHANA S.JADHAV, J.)