

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1150 OF 2015

IN

CRIMINAL APPEAL NO.905 OF 2015

GANESH BHAGWAN CHAVAN

)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA

)...RESPONDENT

Shri R.P.HakePatil i/b. Shri S.P.Kadam, Advocate for the Applicant.

Smt.PP.Bhosale, APP for the Respondent - State.

CORAM : ABHAY M. THIPSAY, J.

DATE : 10th MARCH 2016.

P.C. :

1 Heard.

2 The applicant was charged, inter alia, of an offence punishable under Section 307 of the Indian Penal Code (IPC), but he came to be convicted of an offence punishable under Section

326 of the IPC. He was sentenced to suffer Rigorous Imprisonment for 1 year and to pay a fine of Rs.1,000/-. He was released on bail by the trial court. The appeal filed by the applicant challenging his conviction and the sentence imposed upon him has already been admitted. However, this bail application has remained pending after granting interim bail to the applicant. It is because, the court wanted to know whether the State of Maharashtra wanted to challenge the order of acquittal of the applicant with respect to the offence punishable under Section 307 of the IPC.

3 The learned APP informs that such appeal has now been filed.

 The appeal would be heard in due course and in the event of the same being admitted, appropriate security for his appearance would be taken from the appellant.

4 There, however, seems to be no reason to keep the present bail application pending.

5 Pending the hearing and final disposal of the appeal, the substantive sentence imposed upon the applicant shall stand suspended, and the applicant shall be allowed to remain on the same bail, as granted by the trial court, but on executing a fresh bond.

6 The bail application is disposed of accordingly.

(ABHAY M. THIPSAY, J.)