

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 334 OF 2016

IN

CRIMINAL APPEAL NO.180 OF 2016

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|------------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr. Vaibhav Puneekar for the Applicant.

Shri. A.S. Patil, APP. for the State.

**CORAM : A.S.GADKARI, J.**

**DATE : 26<sup>th</sup> July, 2016**

P.C.

This is an application for suspension of sentence and for releasing the applicant on bail.

2) The applicant is convicted under Section 324 and 392 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for 2 years and 4 years respectively on each count and to pay a fine of Rs.10,000/- i/d to suffer further rigorous imprisonment for six months by the learned Additional Session Judge-4, Nashik in Sessions Case No.275/2014 by its Judgment and order dated 6.1.2016.

3) The learned counsel for the applicant submitted that the applicant is arrested on 19.6.2014 and since then he is in jail. He further submitted that as of today out of 4 years of substantive sentence the applicant has already undergone more than two years of sentence. He further submitted that if the applicant is released on

bail he will abide by all the conditions imposed upon him.

4) The substantive sentence imposed upon the applicant is 4 years rigorous imprisonment and out of which he has already undergone for more than 2 years of substantive sentence. There is no possibility of appeal being heard on its own merits in the near future. In view of the same, I am inclined to release the applicant on bail. Hence, the following order:-

- a) The applicant be released on bail on his furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount to make up the amount.
- b) Before his release from Jail, the applicant shall submit the documents pertaining to his permanent residence and also the place where he intends to reside after his release from Jail to the Indira Nagar Police Station, Nashik City.
- c) After his release from jail, the applicant shall attend the Trial Court once in three months on every 1<sup>st</sup> Monday during 11.00 a. m. to 2.00p.m.
- d) Any two consecutive defaults in attending the Trial Court will entitle the prosecution for seeking cancellation of bail of the applicant.
- e) Application is allowed in the above terms.

**(A.S. GADKARI, J.)**