

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 453 OF 2016
IN
CRIMINAL APPEAL NO. 254 OF 2016

Ujjain Bapu Pawar. ... Applicant.
Versus
The State of Maharashtra. ... Respondents.

Mr. Bhalchandra S. Shinde, advocate for Applicant.

Mrs. A.A. Mane, APP for State.

CORAM : SMT.SADHANA S. JADHAV,J
DATE : APRIL 1, 2016

P.C.:

1 Heard the learned Counsel for the applicant and the learned
APP for State.

2 This is an application under Section 389 of the Code of Criminal
Procedure, 1973 seeking suspension of substantive sentence. The
applicant herein is convicted for the offence punishable under Section
498A of the Indian Penal Code and sentenced to suffer R.I. for 3 years
and to pay fine of Rs. 2,500/- i.d. to suffer S.I. for 2 months by the
Assistant Sessions Judge, Baramati in Sessions Case No. 61 of 2015
vide Judgment and Order dated 13/1/2016.

3 The applicant has faced trial as an under trial prisoner and continues to be in jail. The sentence imposed upon the applicant is short term sentence. It is not likely that the appeal would be taken up for final hearing in the near future. In view of this, the applicant deserves to be enlarged on bail during the pendency of the appeal.

4 Hence, following order is passed :

ORDER

(i) The application is allowed.

(ii) The substantive sentence imposed upon the applicant is hereby suspended. He be enlarged on bail on furnishing P.R. bond in the sum of Rs. 15,000/- and one or more sureties in the like amount.

(iii) The applicant shall report to the Court of Sessions, Baramati once in six months on the date specified by the concerned court. Upon failure to report on two consecutive dates by the applicant, the prosecution is at liberty to move for cancellation of bail.

(iv) The applicant shall furnish his residential address, his contact number such landline number, cell phone number etc. to the concerned Court.

5 The Application is disposed of on the above terms.

Parties to act on the authenticated copy of this order.

(SMT. SADHANA S. JADHAV,J)