

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 765 OF 2016
IN
CRIMINAL APPEAL NO. 423 OF 2016

Santosh Babaso Ghevde Vs. The State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. Umesh Pawar for applicant.
Ms. M.R. Tidke, APP for State.

CORAM : A.S. GADKARI, J.
DATE : 28th June 2016.

P.C.:

- 1) Heard the learned counsel for the applicant and the learned APP.
- 2) This is an application for suspension of sentence and releasing the applicant on bail.
- 3) The applicant is convicted under Section 363 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs.25,000/- and in default of payment of fine to suffer further rigorous imprisonment for six months by the Additional Sessions Judge, Islampur in Sessions Case No.77 of 2013 by its Judgment and Order dated 5th May 2016. After the pronouncement of the said Judgment and Order dated 5th May 2016, the learned Trial Court has suspended the sentence of the applicant as contemplated under Section 389 (3) of Cr. P.C. and as of

today the applicant is on bail. The learned counsel for the applicant submitted that applicant was on bail during pendency of the trial and there is no report of breach of any conditions imposed upon him.

4) Since sentence imposed upon the applicant is a short term sentence and there is no possibility of the appeal being heard on its merits in near future, I am inclined to release the applicant on bail.

5) Hence, the following Order:

- (i) The applicant be released on bail on his furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.
- (ii) The applicant shall attend the Trial Court once in three months on every 1st Monday during 11.00 to 1.00 p.m.
- (iii) Application is allowed in the aforesaid terms.
- (iv) All concerned to act on authenticated copy of this Order.

(A.S. GADKARI, J.)