

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.1044 OF 2016
IN
CRIMINAL APPEAL NO.575 OF 2016**

Prabhakar Tukaram Tamhane .. Applicant
Versus
The State of Maharashtra .. Respondent

Mr.Pawan Mali i/b K.P. Mali, Advocate for the applicant.

Mr.A.R.Kapadnis, APP for the Respondent State.

CORAM : PN. DESHMUKH, J

DATED : 26th AUGUST 2016

P.C. :

1 This is an application for suspension of substantive sentence imposed upon applicant and for grant of bail.

2 Perused the documents filed in support of the application.

3 It reveals that applicant was original accused no.4 who was tried by the learned Sessions Court for the offence punishable under sections 147, 148, 149, 324, 504 and 506 of the IPC, along with cross-case out of which Sessions Case No.195/11 was registered for the offences punishable under section 302, 147, 148, 149, 326, 323, 504, 506 of IPC was registered.

4 Applicant came to be convicted for the offence punishable under Section 324 IPC and is sentenced to suffer SI for 3 years and to pay fine of Rs.1,000/- in default to suffer RI for six months.

5 Having considering the fact that involvement of applicant is in a cross-case and as applicant is found to be imposed with short sentence of three years, and even otherwise, as applicant was on bail pending trial, and it is not case that while on bail, he has misused the liberty granted to them, pending appeal, conviction and sentence stands suspended, and applicant is directed to be released on bail as per order below.

ORDER

Applicant shall be released on bail on his executing PR. Bond in the sum of Rs.15,000/- with one surety in like amount.

Applicant shall mark his attendance, with Kulgaon Police Station, District Thane Rural once in 6(six) months on first day of each month pending Appeal.

Applicant shall produce proof of his residence and in the event there is change of residence, applicant shall provide his address to Investigating Officer.

(PN. DESHMUKH, J)