

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1086 OF 2016

IN

CRIMINAL APPEAL NO.589 OF 2016

PARSHURAM HARISHCHANDRA JADHAV)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mr.Nikhil Rajeshirke and Mr.Kunal Rane, Advocates for the Applicant.

Ms.V.S.Mhaispurkar, APP for the Respondent - State.

CORAM : P N. DESHMUKH, J.

DATE : 2nd SEPTEMBER 2016.

PC. :

1 Applicant who is convicted for the offences punishable under Section 326 of IPC and is sentenced to suffer rigorous imprisonment for 3 years and to pay a fine of Rs.1,000/-, in default, to suffer simple imprisonment for 2 months, and for the offences punishable under Section 452 of IPC and is sentenced to suffer rigorous imprisonment for 2 years and to pay a fine of Rs.1,000/-, in default, to suffer simple imprisonment for 2 months, has applied for suspension of substantive sentence and for grant of bail, contending that during the

trial, applicant was on bail and has not misused liberty granted to him. It is further contended that learned Sessions court Ratnagiri had already suspended sentence till the appeal period. It is, therefore, prayed that application be allowed.

2 Having considering facts as aforesaid, and as the sentence imposed can termed to be short sentence, which even otherwise is suspended by the learned Sessions court by its order dated 14th July 2016, till the appeal period is over, and as appeal is filed within period of limitation on 26th August 2016, application is liable to be allowed, as per the order below :

- i) Applicant shall be released on the same bail as granted by the trial court but on executing fresh P.R.Bond in the sum of Rs.15,000/- with one surety in like amount.
- ii) While on bail, applicant shall mark his presence with Nate Costal Police Station, District Ratnagiri, once in six months, pending appeal.

(P N. DESHMUKH, J.)