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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1173 OF 2016
IN
CRIMINAL APPEAL NO. 632 OF 2016**

Eknath Bali Giramkar & Ors. ...Applicants
vs
The State of Maharashtra ...Respondents

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Mr Govind Solanke i/b Pramod Patil for the Applicants.
Ms A.A.Takalkar APP for the State

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CORAM : P.N.DESHMUKH, J.

03 OCTOBER, 2016

P.C. :

Issue notice to the Respondent. Learned APP accepts notice on behalf of the Respondent – State of Maharashtra.

2 Heard. Learned counsel for the applicant prays for grant of bail on suspending substantive sentence imposed upon the applicants, contending that the applicants have very good case on merits and also on the ground that pending trial the applicants were on bail.

3 The applicants are found convicted for the offences punishable under Sections 323, 448 read with 34 of the Indian

Penal Code by the learned Sessions Judge, Pune and are sentenced to suffer R.I. for three months for each offences and to pay fine of Rs.3000/- each I/d to suffer further S.I. for 15 days. Both the sentences are directed to run concurrently.

4 Admittedly, the applicants were on bail pending trial and amount of fine is deposited by the applicants. Admittedly, on paying fine amount, learned Sessions Judge had suspended the sentence imposed upon the applicants by passing order dated 16 August, 2016, till the appeal period is over. The appeal is preferred on 19 September, 2016. In that view of the matter, the application is liable to be allowed as per order below.

ORDER

- (i) The applicants shall be released on bail on their executing P.R. in the sum of Rs.15,000/- each with one surety in the like amount;
- (ii) While on bail the applicants shall mark their presence with Haveli Police Station, District:- Pune once in six months on the first day of each such month, pending appeal;
- (iii) The applicants shall furnish proof of their residential address with Haveli Police Station and shall update the same if changed in future.

5 The application is disposed of accordingly as allowed.

(P.N.DESHMUKH J.)