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

**CRIMINAL BAIL APPLICATION NO. 1189 OF 2016
IN
CRIMINAL APPEAL NO. 640 OF 2016**

Mr Chhotu Parag Patel & Ors. ...Applicants
vs
Union Territory Administration of Daman
& Diu ...Respondents

.....
Mr Shardul Singh a/w Raksha Jain for the Appellants
Mr P.H.Gaikwad-Patil for the State.
Ms P.H.Kantharia for Respondent No.1.
.....

CORAM : P.N.DESHMUKH, J.

28 SEPTEMBER, 2016

P.C. :

1 Heard learned counsel for the applicants and learned
APP. This application is for suspension of substantive sentence
imposed upon the applicants and for grant of bail. Learned counsel
for the applicants have submitted that though the applicants were
charge-sheeted for the offences punishable under Sections 307, 143,
147, 148 r/w 149 of the Indian Penal Code, the applicants came to be
convicted for the offences punishable under Sections 326, 324 r/w 34
of IPC. It is further contended that pending trial, all the applicants
were on bail and therefore prayed that the application be allowed.

3 Perused the documents filed along with the application. It appears that the applicants are convicted for the offence p/u/s 326 r/w 34 of IPC and are sentenced to suffer Rigorous Imprisonment for three years each and to pay fine of Rs.200/- each in default of payment of fine to suffer further RI for 15 days each. The applicants are further convicted for the offence punishable under Section 324 r/w 34 of IPC and sentenced to suffer RI for two years each and to pay fine of Rs.200/- each i/d of payment of fine to suffer further RI for 15 days each. All the sentences are directed to run concurrently.

4 Considering the fact that the applicants were on bail pending the trial and considering the sentence imposed on the applicants, as it can termed to be short sentence, the application is liable to be allowed by imposing conditions as per order below;

ORDER

- (i) On applicants paying the fine amount imposed upon them as aforesaid, they shall be released on bail on their executing PR bond in the sum of Rs.20,000/- each, with one surety each in the like amount;
- (ii) While on bail applicants shall mark their presence with Nani Daman Police Station once in three months on 1st day of each such month, pending appeal;
- (iii) The applicants shall furnish proof of their residential address with said police station and shall update the same if

changed in future.

5 The application is disposed of accordingly.

(P.N.DESHMUKH J.)