

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CRIMINAL APPELLATE SIDE
CRIMINAL APPLICATION NO.1216 OF 2016
IN
CRIMINAL APPEAL NO.651 OF 2016**

Sachin Adinath Shete ... **Applicant**
V/s.
The State of Maharashtra ... **Respondent**

.....
Mr. Umesh H. Pawar, Advocate for the Applicant.
Mrs. M.R.Tidke, APP for the Respondent/State.
....

CORAM : P. N. DESHMUKH J.

DATED : 21st OCTOBER 2016.

P.C.

1 Issue notice to Respondent. The learned APP accepts notice on behalf of the Respondent-State.

2 The learned counsel for applicant seeks suspension of sentence and for grant of bail contending that applicant came to be convicted by the learned Sessions Court for the offence punishable under Section 324 of the IPC and is sentenced to suffer RI for two years and to pay fine of Rs.1,000/- in default to undergo SI for three months. It is contended that applicant was on bail pending trial and on his conviction, the learned Sessions Judge has suspended the sentence till the appeal period is over.

3 Record reveals that applicant along with co-accused nos.1 to 3 were tried for the offence punishable under Section 325, 506 read with Section 34 of IPC and by the impugned judgment, is acquitted of above charges and is convicted under Section 324 for two years and to pay fine of Rs.1,000/- in default to suffer SI for three months.

4 In view of fact of applicant being on bail pending trial and as it is no case of the prosecution that he has misused the liberty granted to him and as sentence imposed upon applicant is already suspended, application is allowed as per order below:

(1) Applicant shall be released on bail on his executing P.R. Bond in the sum of Rs.15,000/- with one surety in the like amount subject to applicant's paying fine amount of Rs.1,000/- imposed by the Sessions Court.

(2) On being released on bail, applicant shall mark his presence with Shirol MIDC Police Station, Kolhapur once in six months, on the first day of such month, pending appeal.

(3) Applicant shall produce proof of his residence to the Investigating Officer and update change in address, if any, in future, to the concerned police station.

5 Application stands disposed of as allowed.

6 Parties to act upon a copy of this order duly authenticated by the Sheristedar of this Court.

(P. N. DESHMUKH J.)