

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1227 OF 2015

IN

CRIMINAL APPEAL NO.974 OF 2015

SHRI RAMESH NARSING BHOSALE)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Shri Ganesh Bhujbal, Advocate for the Applicant.

Shri A.R.Patil, APP for the Respondent - State.

CORAM : ABHAY M. THIPSAY, J.

DATE : 8th JANUARY 2016.

P.C. :

1 Heard Shri Ganesh Bhujbal, the learned counsel for the applicant. The appeal filed by the applicant challenging his conviction and the sentence imposed upon him, has already been admitted. By the present application, the applicant seeks suspension of the substantive sentence imposed upon him and his release on bail, pending the hearing and final disposal of the appeal.

2 The learned counsel for the applicant submits that the sentence is of Rigorous Imprisonment for 5 years and the applicant has actually undergone a sentence of about 4 years. Though, ordinarily, this would be a good ground to suspend the sentence, I find that after his release on bail during the trial, the applicant had absconded and was not available for trial. The learned counsel for the applicant submits that this might be due to the fact of the arrest of the applicant in some other case. Though this is quite likely, this would indicate the involvement of the applicant in other cases also.

3 Under these circumstances, I am not inclined to suspend the substantive sentence imposed upon the applicant.

4 The appeal, however, needs to be heard expeditiously.

5 I am informed that the co-accused, who have been convicted in the same case, have also preferred separate appeals,

and that, these appeals have also been admitted. In the circumstances, appropriate directions need to be given.

6 The application is rejected.

However, the hearing of the appeal is ordered to be expedited.

The same be listed on board for Directions on **18th January 2016** along with connected appeals.

(ABHAY M. THIPSAY, J.)

CERTIFICATE

Certified to be true and correct copy of the
original signed Judgment/Order.