

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1311 OF 2015

Namdev Ganu Dalvi .. Applicant
Versus
The State of Maharashtra .. Respondent

Mr.H.H. Ponda, Advocate for the applicant.

Mr.G.P. Kedare, Advocate for respondent no.2.

Mrs.Shubhangi Rajesh Dalvi – victim present.

Mrs.M.R.Tidke, APP for the Respondent State.

CORAM : ABHAY M. THIPSAY, J.

DATED : 19th JANUARY, 2016

P.C. :

1 Pursuant to the order dated 12th January 2016, the victim has engaged an Advocate, and has filed her affidavit stating clearly the understanding arrived at between the parties, and further stating that she has no objection for suspending the sentences imposed upon the applicant. Mr.Ponda learned counsel for the applicant has already pointed out that the applicant has a good case on merits for suspension of sentences in view of certain admissions elicited from the victim in the course of her cross-examination. In view of the stand now taken by the victim, in the peculiar facts and circumstances of the case, it appears desirable to suspend the sentences imposed upon the applicant. In fact, that

the victim supports the prayer for suspension of sentences of the applicant, has been verified by the learned APP for questioning the victim.

2 The Application is allowed.

3 Pending the hearing and final disposal of the Appeal, the substantive sentences imposed upon the applicant shall stand suspended, and the applicant shall be released on bail in the sum of Rs.30,000/- with one surety in like amount.

4 It is, however, clarified that this order shall take effect only after the applicant deposits the amount of compensation of Rs.50,000/- in the Court as directed by the trial Court.

5 Hearing of the Appeal is ordered to be expedited.

6 Liberty to the parties and even to the victim to move the Court for fixing the date for the final hearing of the Appeal after the receipt of Record and Proceedings.

(ABHAY M.THIPSAY, J)

CERTIFICATE

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