

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.604 OF 2016

IN

CRIMINAL REVISION APPLICATION NO.599 OF 2016

Shri Shailendra Arjun Sawant ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

.....

Mr. Gaurav Parkar, Advocate for the Applicant.

Mr. S.V.Gavand, APP for the Respondent/State.

....

CORAM : P N. DESHMUKH J.

DATED : OCTOBER 26, 2016.

P.C.

1 Issue notice to respondent. Learned APP waives notice on behalf of State.

2 Heard learned counsel for applicant. He prays for suspension of sentence and for grant of bail contending that applicant is imprisoned for a short sentence for the offence punishable under Sections 279 and 338 of IPC and was on bail pending trial. It is also submitted that applicant has permanent place of residence as he is in service with Reserve Bank of India as pharmacist.

3 Perused documents filed along with application. Applicant is found convicted for the offences punishable under Sections 279 and 338 of IPC and is sentenced to suffer RI for 15 days and to pay fine of Rs.500/- in default to suffer RI for 7 days for the offence punishable

under Section 279 IPC and is directed to suffer RI for one month and to pay fine of Rs.1,000/- in default to suffer RI for 15 days for the offence punishable under Section 338 of IPC. Both the sentences are directed to run concurrently.

4 Considering that the applicant was on bail pending trial and has not misused the liberty granted to him, application is allowed as per order below:

(1) Applicant shall be released on bail on his executing PR Bond in the sum of Rs.15,000/- with one surety in the like amount.

(2) Applicant be released on provisional cash bail of Rs.15,000/- and shall furnish surety within four weeks from the date of his release.

(3) Applicant shall mark his presence with Pen police station once in six months, on the first day of such month, pending revision.

(4) 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.

(P. N. DESHMUKH J.)