

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.1335 OF 2016

IN

CRIMINAL APPEAL NO.700 OF 2016

Pradip Chandrakant Vazare

... **Applicant**

V/s.

The State of Maharashtra

... **Respondent**

.....

Mr. Vivek V. Salunke, Advocate for the Applicant.

Ms.A.A.Takalkar, APP for the Respondent/State.

CORAM : P N. DESHMUKH J.

DATED : OCTOBER 26, 2016.

P.C.

1 Issue notice to respondent. The learned APP waives notice on behalf of state.

2 Heard learned counsel for applicant. He contended that applicant is convicted for the offence punishable under SectionS 147,323, 353,435, 452 read with Section 149 of IPC . However, maximum punishment imposed upon applicant is for the offence punishable under section 435 of IPC to undergo RI for one year and fine of Rs.2,000/- in default to suffer RI for 40 days. It is further contended that applicant was on bail pending trial and his sentence is suspended by the Sessions Court till the appeal period is over. It is, therefore, prayed that application be allowed.

3 It is noted that punishment imposed upon applicant for the offences is varying from one month to six months. Maximum sentence imposed is of one year as aforesaid. All the sentences are directed to run concurrently. Considering the above said facts and since the applicant is found convicted for short sentence which is already found to be suspended by the learned Sessions Court and applicant is found to have made payment of fine amount of Rs.6,000/-, 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.20,000/- with one surety in the like amount.

(2) Applicant shall mark his presence with Satpur Police Station, District: Nashik once in three 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.

4 Application stands disposed of as allowed.

(P. N. DESHMUKH J.)