

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.1383 2016

Prabhakar Janardhan Ghanture Applicant

versus

State of Maharashtra ... Respondent

Mr.Ritesh Thobde, Advocate for the Applicant.

Mr.V.V. Gangurde, APP for the State/Respondent.

**CORAM : MRS.MRIDULA BHATKAR, J.
DATE : 15th DECEMBER, 2016.**

P.C. :

1. This criminal application is directed against the order dated 08/11/2016 passed by the learned Additional Sessions Judge, Solapur, in Appeal No.9/11. The present applicant is convicted by a judgment dated 07/02/2011 u/s 498-A of IPC and is sentenced to undergo rigorous imprisonment for a period of two years and six months and to pay a fine of Rs.2,000/- in default to suffer simple imprisonment for six months. It is the case of that applicant that during the pendency of appeal he attended few dates, however he did not attend some of the dates. So once NBW was cancelled and thereafter again he remained absent. Hence

thereafter NBW was issued. His application dated 08/11/2016 Ex.23 in Criminal appeal No.9/11 was dismissed and he was taken into custody. The learned counsel for the applicant submits that the applicant is not present since last one month and he shall appear on future dates. The learned prosecutor submits to the orders of the Court.

2. In view of these facts, the order dated 08/11/2016 is hereby quashed and set aside. The applicant is released on bail on fresh bail bond of the same amount. The earlier order of bail is restored. The applicant shall attend future dates hereafter.

(MRIDULA BHATKAR, J.)