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

**CRIMINAL APPLICATION NO.1552 OF 2016
IN
CRIMINAL APPEAL NO.811 OF 2016**

1. Prafulla Prabhakar Mohite	
2. Nilesh Prabhakar Mohite	...Applicants
Versus	
The State of Maharashtra	...Respondent

Mr.A.P.Ghag, for the Applicants.

Mr.P.H.Gaikwad-Patil, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 21st DECEMBER, 2016

P.C. :

1. Heard learned Counsel for the applicants and the learned A.P.P.

2. The applicants - Prafulla Prabhakar Mohite and Nilesh Prabhakar Mohite, (original accused nos.3 and 4 respectively) vide Judgment and Order dated 22nd November, 2016, passed by the learned Additional Sessions Judge, Khed, in Sessions Case No.21 of 2004, have

been convicted and sentenced as under:-

- for the offence punishable under Sections 324 of the Indian Penal Code and have been sentenced to suffer R.I for 3 years and to pay fine of Rs.1,000/- each, in default to suffer S.I. for 1 month;
- for the offence punishable under Section 323 of the Indian Penal Code. As the applicants were convicted for the offence punishable under Section 324 of the Indian Penal Code, no separate sentence under Section 323 of the Indian Penal Code was awarded.

3. Learned Counsel for the applicants states that the applicants were on bail, pending trial and that they have not abused or misused the liberty granted to them. He further submits that the applicants have already deposited the fine amounts.

4. Perused the papers. It is not in dispute that the applicants were on bail pending trial and that they have not abused or misused the liberty granted to him. The sentence awarded is a short term sentence. The Appeal has been admitted by a separate order passed today.

5. Considering the aforesaid, the application is allowed. The applicants' sentence is suspended and they are enlarged on bail, pending the hearing and final disposal of their Appeal, on the following terms and conditions:-

ORDER

- (i) The Applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- each, with one or two sureties in the like amount;
- (ii) The applicants shall attend the trial Court once in 4 months, on the first Monday of the concerned month, between 11:00 a.m. to 12:00 noon commencing from January, 2017, pending the hearing and final disposal of their Appeal;
- (iii) The applicants shall inform their latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court and to the concerned Police Station, in writing.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.
7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.