

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.288 OF 2017
WITH
CRIMINAL APPLICATION NO.289 OF 2017
IN
CRIMINAL APPEAL NO.157 OF 2017**

Amol Gorakh Gaikwad)...Applicant

**V/s.
State Of Maharashtra)...Respondents**

Mr. Nitin Kamble, Advocate for the Applicant.

Ms. V.S.Mhaispurkar, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 2nd MARCH, 2017.

P.C. :

These are applications for suspension of sentence and releasing the Applicant-Original Accused No.1 on bail during the pendency of the Appeal filed by him.

2 The Applicant-Accused has been convicted of the offence punishable under Section 332 of the IPC on proof of the case of the prosecution that he had intentionally caused hurt to informant/public servant who was discharging his duties as public

servant.

3 Heard both sides and perused the impugned judgment and order of conviction apart from deposition of witnesses.

4 Applicant/Accused was tried for the offence punishable under Section 307, 506 read with Section 34 of IPC but on due trial, the offence punishable under Section 332 of IPC is proved only against Applicant-Accused no.1 Amol Gaikwad. Accordingly, the learned trial Court sentenced him to suffer RI for three years apart from payment of fine and sentence in default.

5 Short sentence is imposed on the Applicant-Accused and the appeal filed by him is already admitted for final hearing. It will take its own time for disposal. Considering the offence proved against the Applicant-Accused and the short sentence imposed upon him, he can be granted liberty during the pendency of his appeal and, therefore, order:

(1) Applications are allowed.

(2) Substantive sentence of imprisonment imposed on the Applicant-Accused is suspended and he is directed to be released on bail on

executing PR Bond in the sum of Rs.15,000/-
and on furnishing surety in the like amount.

(3) As condition of this order, the Applicant-Accused shall attend jurisdictional police station on every Sunday of a month in between 11 a.m. to 1 p.m.

(4) Applications accordingly stand disposed of.

(A. M. BADAR, J.)