

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.336 OF 2017

IN

CRIMINAL APPEAL NO.183 OF 2017

SACHIN BALIRAM NIKAM

)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA

)...RESPONDENT

None for the Applicant.

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

CORAM : A. M. BADAR, J.

DATE : 31st MARCH 2017

P.C. :

1 None for the applicant / accused.

2 This is an application for suspension of sentence and releasing the applicant/ accused on bail during pendency of the appeal filed by him. The applicant/ accused has been convicted of the offence punishable under Section 498A of the IPC and he has been sentenced to suffer simple imprisonment for 3 years apart

from directing him to pay fine of Rs.5,000/-. It is seen that by an order dated 8th February 2017 the learned trial court has suspended the sentence imposed on the applicant/ accused till the period of appeal is over.

3 The learned APP opposed the application.

4 Considering the short sentence of three years of simple imprisonment imposed on the applicant/ accused for the offence punishable under Section 498A of the IPC, and the fact that the appeal is not likely to be heard in near future, the application deserves to be allowed and therefore the order:

i) The application is allowed.

ii) Substantive sentence of imprisonment imposed upon the applicant/ accused is suspended and the applicant/ accused is directed to be released on bail on his executing P.R.Bond in the sum of Rs.15,000/- and on furnishing surety in like amount.

(A. M. BADAR, J.)