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

***CRIMINAL APPLICATION NO.593 OF 2017
IN
CRIMINAL APPEAL NO.316 OF 2017***

- | | | |
|----|--------------------------|---------------|
| 1. | Hemant Bhanudas Patil | |
| 2. | Ajit Dharmaji Patil | ...Applicants |
| | Versus | |
| | The State of Maharashtra | ...Respondent |

Mr.Nitin Sejpal, for the Applicants.

Mr.Y.M.Nakhwa, A.P.P for the Respondent-State

***CORAM : REVATI MOHITE DERE, J.
DATE : 16th JUNE, 2017***

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicants seek suspension of their sentence and enlargement on bail, pending the hearing and final disposal of their appeal.
3. The applicants alongwith other co-accused, vide Judgment and Order dated 30th March, 2017, passed by learned Additional Sessions

Judge, Raigad-Alibag, have been convicted and sentenced as under:-

- for the offence punishable under Section 326 r/w 34 of the Indian Penal Code, to suffer R.I for 5 years and to pay fine of Rs.5,000/- each in default to suffer R.I. for 1 year;
- for the offence punishable under Section 427 r/w 34 of the Indian Penal Code, to suffer S.I for 1 month and to pay fine of Rs.5,000/- each in default to suffer R.I. for 1 week;
- for the offence punishable under Section 506 (Part-II) r/w 34 of the Indian Penal Code, to suffer R.I for 5 years and to pay fine of Rs.5,000/- each, in default to suffer R.I. for 1 year.

(All the sentences are directed to be run concurrently.)

4. Learned Counsel for the applicants state that the applicants were on bail, pending the trial and that they have not abused or misused the liberty granted to them. The said statement is not disputed by the learned A.P.P. He submits that the applicants are presently in custody, after their conviction and sentence as aforesaid.

5. Perused the papers. The Appeal has been admitted by a

separate order passed today and the same is not likely to come up for the hearing in the immediate near future. 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.

6. Considering the aforesaid, 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.25,000/- each with one or two sureties in the like amount.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)