

Anand

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

CRIMINAL APPLICATION NO.619 OF 2017
(For Suspension Of Sentence And Bail)

**IN
CRIMINAL APPEAL NO.372 OF 2017**

Ajit Prabhakar Jadhav .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.M.V.Rawool, Advocate, for the Applicant
Mr.Y.M.Nakhwa, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 12.07.2017

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks suspension of his sentence & enlargement on bail, pending the hearing and final disposal of the aforesaid Appeal.

3. The Applicant has been convicted & sentenced vide Judgment and Order dated

24.02.2017, passed by the learned Additional Sessions Judge, Sindhudurg Oros, as under :-

- For the offence punishable under Section 326 of the Indian Penal Code to suffer R.I. for five years and to pay fine of Rs.500, in default to suffer S.I. for further period of one month. Fine amount if recovered, was directed to be paid to victim – Lavu Vitthal Jadhav under Section 357(1)(b) of the Code of Criminal Procedure. The Applicant was acquitted of the offence punishable under Section 307 of the Indian Penal Code.

4. Learned counsel for the Applicant submits that the Applicant was on bail pending the trial and has not abused or misused the conditions of bail.

5. Learned APP does not dispute the same.

6. Perused the papers. The Appeal has been

admitted by this Court (CORAM:A.M.BADAR, J.)vide Order dated 24.04.2017. The Applicant was on bail pending the trial and has not abused or misused the conditions of bail. The sentence imposed is a short term sentence. It also appears that the Applicant is suffering from Schizophrenia and requires treatment for the same. Considering the fact, that the Appeal is not likely to be heard in the immediate near future and the fact that the Applicant was on bail pending the trial and has not abused or misused the conditions of bail, the Applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of his Appeal, on the following terms & conditions:-

O R D E R

(i) The Applicant be enlarged on bail, on executing PR Bond in the sum of **Rs.15,000/-** with one or two sureties in the like amount.

7. Accordingly, the Application is disposed of on the aforesaid terms.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)