

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.590 OF 2016

IN

CRIMINAL APPEAL NO.62 OF 2017

1) SWAPNIL RAMESH VISPUTE)
2) PRASHANT ADHAR SHRIWANT)
3) MANGESH ASHOK ROKADE)
4) MAHESH JAGANNATH KHAMBE)...APPLICANTS

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Smt.Nasreen Ayubi i/b. Mr.A.M.Ansari, Advocate for the Applicants.

Mr.Vinod Chate, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 19th APRIL 2017

P.C. :

1 This is an application for suspension of sentence and releasing applicants on bail during pendency of the appeal filed by them before this court. Applicants / accused are convicted of offences punishable under Section 324 of the IPC and they are sentenced to suffer rigorous imprisonment for a period of 2 years

and to pay a fine of Rs.2500/-, in default, to undergo further rigorous imprisonment for one week. They are acquitted of the offence punishable under Section 307 of the IPC and 323 of the IPC.

2 Heard both sides. Substantive sentence of imprisonment imposed on applicants / accused has already been suspended by the learned trial court. The sentence is only for two years. The appeal is not likely to be heard within this period of two years. Hence, considering the nature of offence and the quantum of sentence, the following order :

- i) The application is allowed.
- ii) Substantive sentence of imprisonment imposed on applicants / accused is suspended and they are directed to be released on bail on their executing P.R.Bond in the sum of Rs.15,000/- and on furnishing surety in like amount, by each of them.

(A. M. BADAR, J.)