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

***CRIMINAL APPLICATION NO.817 OF 2017
(FOR BAIL)***

***IN
CRIMINAL APPEAL NO.502 OF 2017***

Ganesh Sadanand Shetty

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.Ayaz Khan, for the Applicant.

Mr.S.S.Hulke, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 1st AUGUST, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicant seeks suspension of his sentence and enlargement on bail, pending the hearing and final disposal of his appeal.
3. The applicant, vide Judgment and Order dated 5th May, 2017,

passed by learned Special Judge (NDPS), Court Room No.43, Greater Bombay, has been convicted and sentenced as under:-

- for the offence punishable under Section 8(c) r/w Section 20(b)(ii) B of the NDPS Act, 1985, to suffer R.I for 3 years and to pay fine of Rs.50,000/- in default to suffer R.I. for 3 months.

4. Learned Counsel for the applicant states that the applicant was on bail, pending the trial and that he has not abused or misused the liberty granted to him. He submitted that the applicant's sentence was suspended after his conviction.

5. Learned APP does not dispute the aforesaid.

6. 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 applicant was on bail pending trial and that he has not abused or misused the liberty granted to him. The Applicant's sentence was also suspended after his conviction. The sentence awarded is a short term sentence.

7. Considering the aforesaid, 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 and conditions :

ORDER

(i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount;

(ii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the concerned cell as well as to the concerned Police Station, in writing.

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

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

(REVATI MOHITE DERE, J.)