

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

CRIMINAL APPLICATION NO. 400 OF 2017  
IN  
CRIMINAL REVISION APPLICATION NO. 426 OF 2017

Dinkar N. Shedage .. Applicant

v/s.

State of Maharashtra ..Respondent

Mr. Sanjeev Kadam for the Applicant.  
Mr. Prashant Jadhav APP for the Respondent.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.  
DATED : 9<sup>th</sup> AUGUST, 2017.**

**P.C.**

1. This application is filed by the aforesaid applicant who was an accused in Summary Criminal Case No.316 of 2013.
2. Heard the learned Counsel for the applicant and the learned APP for the State. By judgment dated 9<sup>th</sup> September, 2015 the applicant was convicted for the offence punishable under Section 354 of Indian Penal Code and sentenced to undergo rigorous imprisonment for one year and fine of Rs.2000/- in default to

undergo rigorous imprisonment for one month. The appeal filed against the said judgment being Criminal Appeal No. 81 of 2015 has been dismissed by the Sessions Judge by the judgment dated 31<sup>st</sup> July, 2017.

3. The learned Counsel for the applicant submits that the applicant has been taken into custody and continues to be in custody from 31<sup>st</sup> July, 2017. It is also stated that the applicant has already deposited the fine amount before the trial Court. The applicant was on bail during trial. The learned Counsel for the applicant makes a statement that the applicant will not interfere with the victim in any manner.

4. The applicant is sentenced to undergo short term imprisonment of one year. The appeal is of the year 2017 and is not likely to come up for final hearing in the next couple of years due to large pendency of old cases. Hence, rejection of the application will result in the applicant undergoing the sentence of imprisonment even before the appeal is heard on merits.

5. Considering the above facts, as well as the nature of the offence, the application is allowed. The execution of sentence is

suspended till disposal of the appeal on merits, on the applicant furnishing fresh bail bond in the sum of Rs.15000/- (Rupees Fifteen Thousand Only) with one solvent surety in the like amount to the satisfaction of the learned JMFC, Koregaon.

6. The applicant shall furnish his local as well as permanent address, if any, the contact number, if any, shall be intimated to the Investigating Officer as well as in the fresh bail bonds.

**(ANUJA PRABHUDESSAI, J.)**