

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1161 OF 2017

IN

CRIMINAL APPEAL NO.683 OF 2017

SANDIP NISHIKANT PETARE

)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA

)...RESPONDENT

Mr.Mahindra Deshmukh, Advocate for the Applicant.

Mr.S.R.Shinde, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 6th SEPTEMBER 2017

P.C. :

1 This is an application for suspension of sentence and releasing the applicant / accused on bail during pendency of the appeal filed by him.

2 Heard the learned advocate appearing for the applicant / accused as well as the learned APP appearing for the respondent / State.

3 Perused the impugned judgment and order of conviction passed by the learned Additional Sessions Judge, Islampur, Sangli, on 14th June 2017. The applicant / accused came to be convicted for offences punishable under Sections 498A, 306, 323 read with 34 of the IPC by the impugned judgment and order. For the offence punishable under Section 498A of the IPC the applicant / accused is sentenced to suffer rigorous imprisonment of 2 years and for the offence punishable under Section 306 of the IPC, the applicant / accused is sentenced to suffer rigorous imprisonment of 3 years. No separate sentence was imposed for the offence punishable under Section 323 of the IPC. Substantive sentences of imprisonment is already suspended by the learned trial court, as submitted by the learned advocate appearing for the applicant / accused.

4 Short sentence of 3 years is imposed on the applicant / accused and he is already released on bail by the learned trial court. Considering the pendency of appeals before this court, the appeal filed by the present applicant / accused may not come up

for hearing in near future. In this view of the matter, the following order :

- i) The application is allowed.
- ii) Substantive sentence imposed upon the applicant / accused is suspended and he is directed to be released on bail on his executing P.R.Bond in the sum of Rs.15,000/- and on furnishing surety in like amount.

(A. M. BADAR, J.)