

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 746 OF 2018

IN
CRI. APPEAL NO. 533 OF 2018

Atmaram Mahadev Gavade and ors.

vs.

The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Dilip Bodke for the Applicants.

Mr. V.V.Gangurde, APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 03rd May, 2018

P.C.

1. This is an application for suspension of substantive sentence and releasing the applicants on bail in Sessions Case No.158 of 2013.

2. Heard Shri. Bodake, the learned counsel for the applicants and the learned APP for the State.

3. The applicants have been convicted under Section 325, 324, 323, 504 read with 34 of the Indian Penal Code and are sentenced to suffer rigorous imprisonment of 2-years and to pay a fine of Rs.2000/- each in default to

further suffer rigorous imprisonment for three months each by the learned Additional Sessions Judge-3, Satara in Sessions Case No.158 of 2013 by its Judgment and Order dated 28.3.2018.

4. The learned counsel for the applicants submitted that the applicants have already deposited the fine amount in the registry of the Trial Court. He further submitted that the applicants have been released on bail under Section 389(3) of the Cr.P.C. by the order of even date by the Trial Court.

5. As the maximum sentence imposed upon the applicants is two years of rigorous imprisonment and the possibility of appeal being heard on merits in near future is remote, I am inclined to suspend the substantive sentence and to release the applicants on bail.

Hence the following order.

a) During the pendency of the present appeal, the substantive sentence imposed upon the applicants is suspended.

b) During the pendency of the appeal, the applicants be

released on bail in Sessions Case No.158/2013 on their furnishing PR bond of Rs.25,000/-each with one or two solvent local sureties in the like amount.

c) During the pendency of appeal the applicants shall mark their presence before the Trial Court on every first Monday of the month between 11.00 a.m. to 2.00p.m. If the said first Monday is Court holiday/public holiday the applicants shall mark their presence on immediate next day.

d) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)