

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

**CRIMINAL APPLICATION NO.457 of 2018
IN
CRIMINAL REVISION APPLICATION NO.489 OF 2018**

Maharudra Vitthal Londhe

...Applicant.

V/s.

The State of Maharashtra

... Respondent

Mr. A.B.Tejane for the Applicant.

Mr. A.R.Patil, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 10th September, 2018

P.C.:

1. This is an Application for suspension of sentence and for releasing the Applicant on bail.

2. The Applicant is convicted for an offence punishable under Section 408 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for six months and to pay a fine of Rs.50,000/-, in default of payment of fine to further under go simple imprisonment for two months, by the learned Judicial Magistrate, First Class, Solapur in RCC No.380/2001 by its Judgment and Order dated 27.3.2015.

3. The Criminal Appeal No.50 of 2015 preferred by the Applicant has been partly allowed by the learned Additional Sessions Judge, Solapur by

its Judgment and Order dated 29.8.2018 and while maintaining the conviction against the Applicant, the Appellate Court has reduced the sentence from six months of rigorous imprisonment to three months of simple imprisonment.

4. Mr. Tajane, the learned counsel appearing for the Applicant submitted that, the Applicant has already deposited the fine amount in the Registry of the trial Court. As the maximum sentence imposed upon the Applicant is three months of simple imprisonment, I am inclined to suspend the substantive sentence and release the Applicant on bail.

Hence, the following order.

- a) During the pendency of the present Revision Application, the substantive sentence imposed upon the Applicant is suspended.
- b) During the pendency of the present Revision Application, the Applicant be released on bail on his furnishing PR bond of Rs.15,000/-with one or two local sureties in the like amount.
- c) Application is allowed in the aforesaid terms.
- d) All the concerned to act on a copy of this Order duly authenticated by the Registry of this Court.

(A.S.GADKARI, J.)