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

**CRIMINAL APPLICATION NO. 47 OF 2018
IN
REVISION APPLICATION NO. 62 OF 2018**

Naresh @ Bablu Baburam Sharma

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. Aniket Vagal for applicant.
Mr. A.R. Patil, APP for State.

**CORAM : A.S.GADKARI, J.
DATE : 21st August 2018.**

P.C.:

1] This is an application for suspension of sentence and for releasing the applicant on bail.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the record.

3] The applicant is convicted under Section 379 of the Indian Penal Code and is sentenced to suffer rigorous imprisonment of one year and to pay a fine of Rs.5000/-, in default of payment of fine to further suffer simple imprisonment for one month by the learned Additional Chief Metropolitan Magistrate, 2nd Court, Mazgaon, Sewree, Mumbai in Case No. 19/PW/2005, by its Judgment and Order dated 27.1.2014. Criminal Appeal

bearing No.370 of 2014 preferred by the applicant has been dismissed by the learned Additional Sessions Judge, Greater Mumbai by its Judgment and Order dated 5th December 2017.

4] As the maximum sentenced imposed upon the applicant is of one year of rigorous imprisonment and the possibility of appeal being heard on merits in near future is remote, I am inclined to release the applicant on bail.

Hence the following Order:

- (i) During the pendency of the Revision, the substantive sentence imposed upon the applicant is suspended.
- (ii) During the pendency of the Revision, the applicant be released on bail on his furnishing PR bond in the sum of Rs.15,000/- with one or two local sureties in the like amount.
- (iii) Applicant shall submit the document of his residence to the Pydhoni Police Station, Mumbai within a period of three weeks from today.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)