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

**CRIMINAL APPLICATION NO.115 OF 2018
(FOR BAIL)
IN
CRIMINAL REVISION APPLICATION NO.104 OF 2018**

1.	Deepak Mahadev Kate	
2.	Mahadev Tatyaba Kate	... Applicants
	Versus	
	The State of Maharashtra	...Respondent

Mr.Rupesh Zade, for the Applicants.

Mr.H.J.Dedhia, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 16th FEBRUARY, 2018

P.C. :

1. This matter has been circulated before this Court as the Regular Court (Coram:Prakash D. Naik,J.), which is seized of the matter, is not available to take up the assignment and in view of the urgency.

2. Heard learned counsel for the parties.

3. By this application, the applicants seek suspension of their sentence and enlargement on bail, pending the hearing and final disposal of the aforesaid Revision Application.

4. The applicants have been convicted by the learned Judicial Magistrate First Class, Court No.2, Baramati, vide Judgment and Order dated 21st September, 2011, passed in Regular Criminal Case No.232/2008, for the offences punishable under Section 324 r/w Section 34 of the Indian Penal Code and have been sentenced to suffer rigorous imprisonment for three months and to pay fine of Rs.500/- each, in default to suffer further rigorous imprisonment for twenty days each. The said Judgment and Order of conviction and sentence was confirmed by the learned Additional Sessions Judge, Baramati, in Criminal Appeal No.60 of 2011, vide Judgment and Order dated 7th February, 2018.

5. Learned Counsel for the applicants states that the applicants were on bail pending trial as well as pending Appeal, and that they have not misused or abused the liberty granted to them. The applicants have also deposited the fine amounts imposed on them.

6. Learned APP does not dispute the aforesaid.

7. Perused the papers. The Revision has been admitted by a separate order passed today and the same is not likely to come up for the hearing in the immediate near future. It is not in dispute that the applicants were on bail pending trial as well as pending Appeal, and that they have not misused or abused the liberty granted to them.

8. Considering the aforesaid, the applicants' sentence is suspended and they are enlarged on bail, pending the hearing and final disposal of the aforesaid Revision, on the following terms and conditions :

ORDER

- (i) The Applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- each, with one or two sureties in the like amount.

9. The Application is allowed in the aforesaid terms and is accordingly disposed of.

10. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.