

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

**CRIMINAL APPLICATION NO.419 OF 2018
IN
CRIMINAL APPEAL NO.255 OF 2018**

Deepak Waman Sapke & Ors.

... Applicants

V/s.

The State of Maharashtra

... Respondent

Mr. Satyavrat Joshi for the Applicants.

Ms. R.M. Gadhvi, APP for the Respondent State.

CORAM : A.S.GADKARI, J.

DATE : 19th MARCH, 2018

P.C.:

1. This is an application for suspension of sentence and releasing the applicants on bail.
2. The applicants are original Accused Nos.1, 2, 5, 6 and 8. The applicants are convicted under Section 399 and 402 of the Indian Penal Code and under Section 37(1) and 135 of the Maharashtra Police Act and sentence to suffer maximum rigorous imprisonment for three years and to pay fine of Rs.1,000/- by the learned Additional Sessions Judge, Pune in

Sessions Case No.234/2014 by its judgment and order dated 20.02.2018.

3. The learned counsel for the applicants submitted that the applicants have already deposited the fine amount. He further submitted that after the impugned judgment and order is passed, the applicants have been released on bail under Section 389(3) of the Cr.P.C. by the learned Trial Court. As the maximum sentence imposed upon the applicants is two years, I am inclined to release the applicants on bail.

Hence, the following order.

(a) The applicants be released on bail in Sessions Case No.234/2014 arising out of C.R.No.460 of 2011 registered with Hadapsar Police Station, Pune on their furnishing PR bond of Rs.25,000/- each with one or two separate solvent local sureties in the like amount.

(b) During the pendency of the appeal, the applicant shall attend the concerned police Station on every first Monday of the month between 11.00 a.m. to 1.00 p.m. If the said Monday comes on a holiday or non-Court working day, he shall attend the Court on the immediate working day.

4. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)