

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.502 OF 2018

IN

CRIMINAL APPEAL NO.349 OF 2018

Vikas Ankush Pawar 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.Vivek Salunke for the applicant.

Mr.V.V.Gangurde, APP. State.

CORAM : A.S.GADKARI, J.

DATE : 27th March, 2018

P.C:

1. This is an application for suspension of sentence and for releasing the applicant on bail.
2. Heard Shri. Salunke, learned counsel for the applicant and the learned APP. for the State.
3. The applicant is the original accused No.3 and is convicted under Section-380, 454 and 457 of the Indian Penal Code and sentenced to suffer maximum rigorous imprisonment for two years and under Section 136 of the Electricity Act and sentenced to suffer rigorous

imprisonment for two years and to pay a total fine of Rs.4000/- by the learned Additional Sessions Judge, Pune in MSEB (Special) Sessions Case No.125 of 2007. The Trial Court has directed that the substantive sentences shall run concurrently.

4. Mr. Salunke, learned counsel for the applicant submitted that the applicant has already deposited the fine amount in the registry of the Trial Court. That, the applicant has been released on bail under Section 389(3) of the Cr.PC. by an Order dated 31.1.2018 by the Trial Court.

5. As the maximum sentence imposed upon the applicant is two years 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.

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

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

released on bail on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

c) During the pendency of appeal, the applicant shall mark his 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 applicant shall mark his presence on immediate next day.

d) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)