

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.619 OF 2018

IN

CRIMINAL APPEAL NO.448 OF 2018

Haridas Vitthal Ghule and ors. 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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Ms. Bhakti Bhosale for Mr.Rahul Kate for the Applicant.
Mr. V.V.Gangurde, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.

DATE : 18th April, 2018

P.C.

1. This is an application for suspension of sentence and releasing the applicants on bail in Sessions Case No.157/2013.

2. Heard the learned counsel for the applicants and the learned APP for the State.

3. The applicants are convicted under Section-323 and 324 of the Indian Penal Code and are sentenced to suffer rigorous imprisonment for one year and to pay a total fine of Rs.2500/-each by the learned Additional Sessions

Judge-3, Satara by its Judgment and Order dated 26.3.2018 in Sessions Case No.157/2013.

4. The learned counsel for the applicants submitted that, the applicants have already deposited the fine amount in the registry of the trial Court. She further submitted that the applicants have been released on bail under Section 389 (3) of the Cr.P.C. by the trial Court by its Order of even date.

5. As the maximum sentence imposed upon the applicants is one year of rigorous imprisonment and the possibility of appeal being heard on its own merits in near future is remote, I am inclined to suspend the substantive sentence and release the applicants on bail.

Hence, the following order.

- a) During the pendency of the appeal the substantive sentence is suspended.
- b) During the pendency of the appeal, the applicants be released on bail in Special Sessions Case No.157/2013 on their furnishing PR bond of Rs.25,000/- each with one or two solvent local sureties in the like amount.

- c) During the pendency of the appeal, the applicants shall mark their presence before the Trial Court on every first Monday of the month between 11.00 a.m. to 2.00 p.m. If the said first Monday is Court holiday/public holiday the applicants shall mark their presence on immediate next day.
- d) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)