

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 630 OF 2018****IN****CRIMINAL APPEAL NO. 466 OF 2018**

Vishnu Jankiram Pehre & Ors.

....Applicants.

Vs.

State of Maharashtra

....Respondent.

Mr. Tushar Sonawane for the Applicants.

Mr. V.V. Gangurde, APP for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 19th APRIL, 2018.****P.C.:-**

This is an Application for suspension of sentence and for releasing the Applicants on bail.

2 The Applicants are convicted for an offence punishable under Section 395 of the Indian Penal Code and are sentenced to suffer rigorous imprisonment for two years each and pay a fine of Rs.2,000/- (Rupees Two Thousand only) each, in default further undergo rigorous imprisonment for six months each, by the learned Additional Sessions Judge, Nashik, in Sessions Case No. 29 of 2015, by its Judgment and Order dated 26th March, 2018.

3 The learned counsel for the Applicants submitted that, the Applicants have already deposited the fine amount in the Registry of the Trial Court. He further submitted that, the Trial Court has released the Applicants on bail under Section 389 (3) of Cr. P. C. by an Order of even date.

4 As the maximum sentence imposed upon the Applicants is two year of rigorous imprisonment and the possibility of hearing of Appeal on merits in the near future is remote, I am inclined to release the Applicants on bail. Hence the following order-

- a) During the pendency of the Appeal, the substantive sentence imposed upon the Applicants is suspended and the Applicants are released on bail in Sessions Case No. 29 of 2015, on their furnishing PR bond of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with one or two separate solvent local sureties in the like amount.
- b) During the pendency of the Appeal, the Applicants shall attend and 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 a Court holiday/Public holiday, the Applicants shall mark their presence on the immediate next day.

5 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)