

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.704 OF 2018

IN

CRIMINAL APPEAL NO.506 OF 2018

WITH

CRIMINAL APPLICATION NO.705 OF 2018

IN

CRIMINAL APPEAL NO.506 OF 2018

Sunil @ Sandip Vasant Mane ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

.....

Mr.Harshad Sathe, Advocate for the Applicant.

Ms.V.S.Mhaispurkar, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 12th JUNE 2018.

P.C. :

1 These are applications for suspension of sentence and releasing the applicant on bail during pendency of the appeal filed by him.

2 The applicant/accused has been convicted of the

offences punishable under Sections 498-A and 306 of the Indian Penal Code. For the offence punishable under Section 498-A of the Indian Penal Code he is sentenced to suffer rigorous imprisonment for two years and for the offence punishable under Section 306 of the Indian Penal Code, he is sentenced to suffer for five years.

3 Heard the learned Advocate appearing for the applicant/accused. He drew my attention to the evidence of prosecution witnesses and argued that their evidence is falling short of establishing the ingredients of the offences punishable under Sections 498-A and 306 of the Indian Penal Code. The learned Additional Public Prosecutor contended that evidence of P.W.No.1 father and P.W.No.2 sister coupled with that of P.W.No.5 Corporator is sufficient to demonstrate the fact that deceased Surekha was subjected to cruelty leading to abetment to her to commit suicide.

4 During pendency of the appeal, the applicant/accused was on bail and there was nothing to show that he has misused his liberty. Short sentence of imprisonment for five years has been imposed on the applicant and considering pendency of the appeals before this Court, the present appeal may not be heard within a period of five years from today. In this view of the matter, the following Order :

ORDER

- (i) The applications are allowed.
- (ii) The substantive sentence of imprisonment imposed on the applicant/accused is suspended and he is directed to be released on bail on his executing P. R. Bond in the sum of Rs.15,000/- and on furnishing one surety in the like amount.
- (iii) The applications are accordingly disposed of.

(A.M.BADAR J.)