

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 725 OF 2018****IN****CRIMINAL APPEAL NO. 524 OF 2018**

Amar Krushnakant Janjal & Ors.

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. Sachin Gite for the Applicant.

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

CORAM : A. S. GADKARI, J.**DATE : 27th APRIL, 2018.****P.C.:-**

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

2 The Applicants have been convicted under Sections 324, 323, 504, 506 r/w Section 34 of the Indian Penal Code and are sentenced to suffer maximum rigorous imprisonment for one year each and to pay fine of Rs.2,500/- each, in default of payment to further undergo rigorous imprisonment for six months, by the learned Sessions Judge, Nashik in Sessions Case No.224 of 2015, by its Judgment and Order dated 16th April 2018.

3 The learned counsel for the Applicants submitted that, the Applicants have already deposited the fine amount of Rs.2,500/- each in the Registry of the Trial Court. He further submitted that, during the pendency of the Trial, the Applicants were released on bail.

4 In view of above and as the maximum sentence imposed upon the Applicants is one year of rigorous imprisonment and the possibility of hearing of Appeal being heard on merits in near future is remote, I am inclined to suspend the substantive sentence and to release the Applicants on bail. Hence the following order-

- a) During the pendency of the Appeal, the substantive sentence imposed upon the Applicants are suspended and the Applicants are released on bail in Sessions Case No.224 of 2015, on their furnishing PR bond of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with one or two 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.)