

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.733 OF 2018
IN**

**CRIMINAL APPEAL NO.528 OF 2018
WITH**

**CRIMINAL APPLICATION NO.734 OF 2018
IN**

**CRIMINAL APPEAL NO.528 OF 2018
WITH**

**CRIMINAL APPLICATION NO.735 OF 2018
IN**

**CRIMINAL APPEAL NO.529 OF 2018
WITH**

**CRIMINAL APPLICATION NO.736 OF 2018
IN**

**CRIMINAL APPEAL NO.529 OF 2018
WITH**

**CRIMINAL APPLICATION NO.737 OF 2018
IN**

**CRIMINAL APPEAL NO.531 OF 2018
WITH**

**CRIMINAL APPLICATION NO.738 OF 2018
IN**

CRIMINAL APPEAL NO.531 OF 2018

Dattatray Jayram Kute & Anr. ... Applicants

V/s.

The State of Maharashtra ... Respondent

.....

Mr.Ramesh B. Jadhav, Advocate for the Applicants.

Mr.A.R.Kapadnis, APP for the Respondent/State.

....

CORAM : A.M.BADAR J.

DATED : 7th JUNE 2018.

P.C. :

1 These are applications for suspension of sentence and releasing the applicants/accused on bail during pendency of the appeals filed by them.

2 The applicants/accused are convicted of offences punishable under Sections 420, 465, 467, 468, 471, 255, 260 read with Section 120B of the Indian Penal Code. Different sentences are imposed on them on each count. The highest amongst them being rigorous imprisonment for three years apart from imposition of fine on each count. The learned trial Court had directed that substantive sentence of imprisonment imposed on the applicants shall run concurrently.

3 Heard the learned Advocate appearing for the applicants/accused. He argued that applicants have deposited the entire fine amount and as maximum sentence was only for three years, they are already released by the learned trial Court.

4 The learned Additional Public Prosecutor opposed the application.

5 Considering the fact that the substantive sentence of imprisonment imposed on the applicants is already suspended by the learned trial Court and as they have already deposited fine amount, as well as the fact that the appeals filed by the applicants may not be heard within near future, I see no reason to deny bail to them. Therefore, the Order :

ORDER

- i) The applications are allowed.

- ii) The substantive sentence of imprisonment imposed on the applicants/accused are suspended and they directed to released on bail on their executing P. R. Bond in the sum of Rs.15,000/- each and on furnishing surety in the like amount by each of them.

- iii) As a condition of this Order, the applicants should not repeat commission of similar offences in future.

(A.M.BADAR J.)