

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.745 OF 2018

IN

CRIMINAL APPEAL NO.532 OF 2018

PRASHANT PRAFULLKUMAR BETALE)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mr.Rushikesh Kale, Advocate for the Applicant.

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

CORAM : A. M. BADAR, J.

DATE : 8th JUNE 2018

P.C. :

1 This is an application for suspension of sentence and releasing the applicant/accused on bail during pendency of the appeal filed by him. The applicant/accused is convicted of offences punishable under Sections 326 of the Indian Penal Code, and under Section 4(25) of the Arms Act, as well as under Section 37(1) and 135 of Maharashtra Police Act. For the offence punishable under Section 326 of the Indian Penal Code, he is

sentenced to suffer rigorous imprisonment for 2 years apart from imposition of fine and default sentence of 3 months. For the offence punishable under Section 4(25) of the Arms Act, the applicant/accused is sentenced to suffer rigorous imprisonment for 1 year apart from imposition of fine and default sentence of 2 months and for the offence punishable under Section 37(1) and 135 of the Maharashtra Police Act, he is sentenced to suffer rigorous imprisonment of 1 month.

2 Heard the learned Advocate appearing for the applicant/accused as well as the learned APP appearing for the State. The conviction is for offences punishable under Section 326 of the Indian Penal Code as well as under Section 4(25) of the Arms act and under Section 37(1) and 135 of the Maharashtra Police Act. Substantive sentences are directed to run concurrently and the maximum thereof is rigorous imprisonment for 2 years. The substantive sentence of imprisonment imposed on the applicant/accused has already been suspended by the learned trial court. The appeal filed by him will take time for final hearing.

Hence, the order :

ORDER

- i) The application is allowed.
- ii) Substantive sentences of imprisonment imposed on the applicant/accused is suspended and the applicant/accused is directed to be released on bail on his executing PR.Bond in the sum of Rs.15,000/-, and on furnishing surety in like amount.
- iii) As a condition of this order, the applicant/accused should not repeat commission of similar offence in future.
- iv) The application is disposed of.
- v) Parties to act on authenticated copy of this order.

(A. M. BADAR, J.)