

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.254 OF 2018
WITH
CRIMINAL APPLICATION NO.255 OF 2018
IN
CRIMINAL REVISION APPLICATION NO.262 OF 2018

Alpesh Giridharbhai Parmar	Applicant
versus	
The State of Maharashtra	Respondent

Mr.Nitin Satpute for applicant.
Ms.PN.Dabholkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 7th June 2018

PC :

1. These applications are filed seeking suspension of sentence and grant of bail. The applicant has been convicted for offence u/s 354 of Indian Penal Code and is sentenced to suffer imprisonment for one year. The judgment of conviction was confirmed by the appellate Court by dismissing the appeal.

2. Learned advocate for applicant submitted that during pendency of trial and the appeal, the applicant was on bail and he has not misused the liberty of bail granted to him. Learned advocate pointed out the cross examination of the investigating officer. It is brought on record that in respect to the same incident, the police had registered a non-cognizable complaint for offence u/s 323 of IPC. On the basis of the said version it is submitted that the complainant

has apparently improvised her version by alleging that the accused had committed an offence u/s 354 of IPC.

3. In the circumstances case for suspension of sentence and grant of bail is made out. Hence, I pass following order :

ORDER

(i) Pending hearing and final disposal of Criminal Revision Application No.262 of 2018, the sentence of imprisonment imposed by learned Metropolitan Magistrate, 67th Court, Borivali, Mumbai vide judgment and order dated 21st November 2013 convicting the applicant for offence u/s 354 of Indian Penal Code and sentencing him to suffer imprisonment for one year, and confirmed by the judgment and order dated 5th April 2018 passed by learned Additional Sessions Judge, Dindoshi, Mumbai, is suspended and the applicant is directed to be released on bail on the same terms and conditions as were granted during pendency of the proceedings before the Trial Court;

(ii) The applicant shall report Kurar Police Station once in a month on every first Saturday of each month between 10 a.m. and 12 p.m till further orders;

(iii) Criminal Application Nos.254 of 2018 and 255 of 2018 stand disposed off.

(PRAKASH D. NAIK, J.)

MST