

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.818 OF 2018

IN

CRIMINAL APPEAL NO.576 OF 2018

Piyush Hira Patel and ors. ... **Applicants**

V/s.

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

WITH

CRIMINAL APPLICATION NO.819 OF 2018

IN

CRIMINAL APPEAL NO.576 OF 2018

Piyush Hira Patel and ors. ... **Applicants**

V/s.

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

Ms.Nidhi Sharma i/b. Mr.Pravin Uttam Gaikwad for the
appellants/applicants.

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

CORAM : A.M.BADAR J.

DATED : 14th JUNE 2018.

P.C. :

1. Liberty to amend cause title of the applications is granted.

2. The learned Advocate for the applicants has stated that prayer made in Application No.819 of 2018 may be construed as prayer for suspension of sentence and not that of suspension of conviction.

3. These are applications for suspension of sentence and for releasing the applicants/accused on bail during the pendency of the appeal filed by them. The applicants/accused came to be convicted of offence punishable under Sections 143, 147, 324 read with 149 of the Indian Penal Code by the learned Sessions Judge, Daman in Sessions Case No.4 of 2009.

4. Heard the learned Advocate appearing for the applicants/accused. She argued that substantive sentence of imprisonment imposed on the applicants/accused has already been suspended by the learned Trial Court and the applicants were on bail during the pendency of the trial and therefore they are entitled for bail.

5. It is seen that short sentences of imprisonment on each count are imposed on the applicants /accused, maximum of which is that for one year. Substantive sentences are directed to run concurrently by the learned Trial Court. The learned Trial Court has already suspended the

substantive sentence of imprisonment imposed on the applicants. The appeal filed by the applicants/accused is not likely to be heard in short period. Therefore, the order;

:: ORDER ::

- (i) Substantive sentence of imprisonment imposed on the applicants/accused is suspended and they are directed to be released on bail on their executing P.R. Bond in the sum of Rs.15,000/- each and on their furnishing one or more surety in the like amount by each of them.
- (ii) Both these applications are, accordingly, disposed of.

(A.M.BADAR J.)