

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.823 OF 2018

IN

CRIMINAL APPEAL NO.592 OF 2018

Balu Waman Shingole & Ors. ... **Applicants**

V/s.

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

.....

Mr.Ajit R. Pitale, Advocate for the Applicants.

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

....

CORAM : A.M.BADAR J.

DATED : 26th JUNE 2018.

P.C. :

1 Leave to amend in order to delete the prayer for suspension of conviction. Amendment be effected forthwith.

2 This is an application for suspension of sentence and releasing the applicants/accused on bail during pendency of the appeal filed by them.

3 Heard both sides and perused the impugned Judgment and Order of conviction and resultant sentence.

4 The applicants/accused have been convicted of the offences punishable under Sections 323 and 452 read with Section 34 of the Indian Penal Code. They are sentenced to suffer rigorous imprisonment for one month apart from payment of fine.

5 The learned Advocate for the applicants has made a statement at bar that entire amount of fine is already deposited by the applicants and they are already released on bail by the learned trial Court.

6 In this view of the matter, and as the appeal may not heard in short period, the following Order :

ORDER

- (i) The Application is allowed.
- (ii) The 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 furnishing one surety in the like amount by each of them.
- (iii) As a condition of this Order, the applicants/accused should not repeat commission of similar offence in future.

(A.M.BADAR J.)