IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.909 OF 2018
IN
CRIMINAL APPEAL NO.740 OF 2018

Salim Gulab Shaikh @
Rajesh Baburao Wakode … **Applicant**
V/s.
The State of Maharashtra ... **Respondent**

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Mr.R. V. Bansode, Advocate for the Applicant.

Ms.Anamika Malhotra, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 26th 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.

2 The applicant/accused has been convicted of the offence punishable under Section 393 of the Indian Penal Code and is sentenced to suffer rigorous imprisonment for three years apart from direction to pay a fine of Rs.2000/- and to undergo default sentence of twenty days rigorous imprisonment.

3 Heard the learned Advocate appearing for the applicant/accused. He submits that short sentence of imprisonment is imposed and he was on bail during pendency of the trial.

4 The learned Additional Public Prosecutor opposed the application.

5 Short sentence of imprisonment of three years is imposed on the applicant/accused No.1 and he was on bail during pendency of trial. The appeal filed by him may not be heard within a short period of three years. Therefore, the Order :

ORDER

(i) The Application is allowed.

(ii) The substantive sentence of imprisonment imposed on the applicant/accused is suspended and he is directed to be released on bail on his executing P. R. Bond in the sum of Rs.15,000/- and on furnishing one surety in the like amount.

(iii) As a condition of this Order, the applicant/accused should not repeat commission of similar offence in future.

(A.M.BADAR J.)