

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.956 OF 2018

IN

CRIMINAL APPEAL NO. 783 OF 2018

Waman Krishna Kini and anr. ... **Applicants**

V/s.

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

Mr.Kartik Garg i/b. Mr.S.S. Redekar for the applicants.

Mr.S.V. Gavand, APP for the respondent /State.

CORAM : A.M.BADAR J.

DATED : 13th JULY 2018.

P.C. :

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

2. The applicants/accused are convicted of offence punishable under Section 379 of the Indian Penal Code. They are sentenced to suffer rigorous imprisonment for three years apart from imposition of fine of Rs.50,000/- and in default to undergo simple imprisonment for three months.

3. Heard the learned Counsel appearing for the applicants. He submitted that the applicants have already deposited the entire fine amount and they are already released on bail by the learned Trial Court. The learned APP opposed the application.

4. Considering short sentence of imprisonment imposed on the applicants and the same has been already been suspended by the learned Trial Court, the applicants deserve to be released on bail as the appeal is not likely to be heard within short period of three years. 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 furnishing surety in the like amount by each of them.
- (ii) As a condition of this order, the applicants should not repeat commission of similar offence in future.
- (iii) The application is, accordingly, disposed of.

(A.M.BADAR J.)

Vina
Arvind
Khadpe

Digitally signed
by Vina Arvind
Khadpe
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2018.07.12
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