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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 920 OF 2016
IN
CRIMINAL APPEAL NO. 552 OF 2016**

Mr. Sandip Manohar Dongre

..Applicant.

Vs

The State of Maharashtra

..Respondent

Mr. B.A. Aloor for applicant.

Mr. V.V. Gangurde, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 25th APRIL 2018.

P.C.:

1] This is an Application for suspension of sentence and for releasing the applicant on bail.

2] The applicant has been convicted under Section 376 of the Indian Penal Code and is sentenced to suffer rigorous imprisonment for ten years and to pay a fine of Rs.5000/-, in default of payment of fine to further undergo rigorous imprisonment for six months, by the learned Additional Sessions Judge, Khed- Rajgurunagar, District Pune in Sessions Case No.63 of 2014 by its Judgment and Order dated 28th October 2015.

3] The record indicates that the applicant was arrested on 28.4.2010 in the present crime and since then he is in jail.

4] As the applicant has already undergone actual imprisonment for about seven years and eleven months out of total sentence of ten years, I am inclined to release the Applicant on bail.

Hence the following Order:

(i) During the pendency of the appeal, the substantive sentence imposed upon the applicant is suspended.

(ii) During the pendency of the appeal, the applicant be released on bail on his furnishing PR bond in the sum of Rs.25,000/- with one or two solvent local sureties in the like amount.

(iii) After his release from jail and during the pendency of appeal the applicant shall attend the Trial Court on every first Monday of the month between 11.00 a.m to 2.00 p.m. and mark his presence. If 1st Monday of the month is a holiday, the applicant shall mark his presence in the Trial Court on the immediate next day.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)