

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1540 OF 2018

IN

CRIMINAL APPEAL NO.1112 OF 2018

Sandip Nana Awale @ Gundya ... **Applicant**
V/s.

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

.....

Mr.Shantanu R. Phanse, Advocate for the Applicant.

Mr.P.H.Gaikwad-Patil, APP for the Respondent/State.

....

CORAM : A.M.BADAR J.

DATED : 12th SEPTEMBER 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 is convicted for the offences punishable under Sections 324 and 326 of the Indian Penal Code and for the offence punishable under Section 326 of the Indian Penal Code, he is sentenced to suffer rigorous imprisonment for three years apart from payment of fine of Rs.5,000/- and in default to undergo further rigorous imprisonment for one month.

3 Heard both sides.

4 The applicant/accused was on bail during pendency of the trial and he has not misused his liberty. In exercise of powers under Section 389(3) of the Code of Criminal Procedure, the learned trial Court has already suspended the substantive sentences imposed on the applicant/accused.

5 In this view of the matter as the appeal is not likely to be heard within a short period, the following 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 of Rs.15,000/- and on furnishing surety in the like amount.
- (iii) As a condition of this order, the applicant/accused should not contact the victim of the crime in question as well as other prosecution witnesses in any manner.
- (iv) The application is disposed of accordingly.

(A.M.BADAR J.)

Raju
Dattatraya
Gaikwad

Gaikwad RD

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