

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1612 OF 2018

IN

CRIMINAL APPEAL NO.1139 OF 2018

Bhau Balu Shelar ... **Applicant**

V/s.

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

Mr.V. S. Tadake i/b. Mr.Mohan Bapu Gawade for the applicant.

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

CORAM : A.M.BADAR J.

DATED : 19th SEPTEMBER 2018.

P.C. :

1. This is an application for suspension of sentence and for releasing the applicant on bail during pendency of appeal filed by him.

2. The applicant / accused is convicted for the offences punishable under Sections 498A and 306 of the Indian Penal Code and he is sentenced to suffer rigorous imprisonment for three

years apart from imposition of some fine and default sentence.

3. Heard the learned Counsel appearing for the applicant/accused. He submits that he is restricting this application only for suspension of sentence and for releasing the applicant on bail. It is further argued that the applicant is already released on bail by the learned Trial Court. He was on bail during pendency of trial.

4. The learned Additional Public Prosecutor opposed the application.

5. Substantive sentence imposed on the applicant has already been suspended by the learned Trial Court. The applicant was on bail during pendency of trial. He has not mis-used his liberty. Short sentence of imprisonment is awarded to him. Hence, the order;

:: ORDER ::

- (i) Substantive sentence of imprisonment imposed on the applicant 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 surety in the like amount by him.

(ii) The application is disposed of accordingly.

6. Parties to act upon authenticated copy of this order.

Vina
Arvind
Khadpe

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signed by
Vina Arvind
Khadpe
Date:
2018.09.18
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(A.M.BADAR J.)