

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

CRIMINAL APPLICAITON NO. 512 OF 2018
IN
CRIMINAL REVISION APPLICATION NO. 534 OF 2018

Subhash G. Bangar ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Gaurav Parkar for the Applicant.

Mr. S.S. Hulke, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 04 October, 2018

P.C.:

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

2. The applicant is convicted under Section 326 of the Indian Penal Code and sentenced to suffer simple imprisonment for one year and to pay a fine of Rs.5000/-, in default of payment of fine to further under go simple imprisonment for 15 days by the Judicial Magistrate First, Class, Karjat in RCC No.105/2010 by its Judgment and Order dated 29.12.2012. The

Criminal Appeal No2/2013 preferred by the applicant though was dismissed by the learned Sessions Judge, Raigad at Alibag by its Judgment and Order dated 28.9.2018, the learned Sessions Judge was pleased to reduce the substantive sentence imposed upon the applicant to six months of simple imprisonment.

3. Mr. Parkar, learned counsel appearing for the applicant submitted that, the applicant has already deposited the fine amount in the registry of the Trial Court.

4. As the maximum sentence imposed upon the applicant is six months of simple imprisonment and the possibility of hearing the present revision on merits in near future is remote, I am inclined to suspend the substantive sentence and release the applicant on bail.

Hence, the following order.

a) During the pendency of the revision application, the substantive sentence imposed upon the applicant is suspended and the applicant be released on bail on his furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.

b) The applicant is permitted to furnish cash bail of Rs.15,000/- for a

period of eight weeks from today and during the said period he will comply with all the formalities of furnishing sureties.

c) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)