

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1524 OF 2016

IN

CRIMINAL APPEAL NO.705 OF 2017

Pandurang Deoram Waghmare.] ... Applicant

Versus

The State of Maharashtra.] ... Respondent

ALONG WITH

CRIMINAL APPLICATION NO.932 OF 2018

IN

CRIMINAL APPEAL NO.292 OF 2017

Dinkar Manohar Gangode.] ... Applicant

Versus

The State of Maharashtra.] ... Respondent

Mr. R. N. Gite for Applicant in Criminal Application No.1524 of 2016.
Ms. Aisha M. Z. Ansari for Applicant in Criminal Application No.932 of 2018.

Mr. H. J. Dehia, APP for State.

CORAM :- B. R. GAVAI &
SARANG V. KOTWAL, JJ.

DATE :- 09 JULY, 2018

P. C. :-

1. These applications are filed for suspension of sentence and grant of bail during pendency of the present Appeal.
2. The Applicants are accused nos.1 and 3. The accused no.1 has been convicted for the offence punishable under Section 376 (2) (g) of the IPC and sentenced to suffer life imprisonment. The accused no.3, along with the other two accused, is convicted for the offences punishable under Sections 114 read with 34, 323, 504 and 506 read with 34 of the IPC and was sentenced to suffer R.I. for 7 years.
3. Insofar as the accused no.3 is concerned, he has already undergone the sentence for six years out of seven years.
4. The accused no.1 has also undergone almost half of the sentence. There is no likelihood of the Appeal being taken up for hearing in the near future.

5. In that view of the matter, we are inclined to allow the Applications. Hence, the following order :

ORDER

- (i) The Applications are allowed.
- (ii) The order of sentence and conviction insofar as the present Applicants are concerned, is suspended.
- (iii) The Applicants are directed to be released on bail in the sum of Rs.10,000/- each with one or two sureties in the like amount.
- (iv) The Applicants shall report to Surgana Police Station on first Sunday of every month.
- (v) The Applicants shall not enter in the village / town where the prosecutrix resides.

(SARANG V. KOTWAL, J.)

(B. R. GAVAI, J.)