

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APPA) NO.107 OF 2018
IN
CRIMINAL APPEAL NO.327 OF 2016

(Ajay s/o Harichandra Dhengre (In Jail) Vs. The State of Maharashtra thr. PSO Ps
Pachpaoli, Nagpur)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri S.S. Meshram, Advocate for Appellant.
Shri N.H. Joshi, APP for Respondent-State.

CORAM: ROHIT B. DEO, J.
DATE: 7th FEBRUARY, 2018.

By order dated 21.07.2017, the appellant was granted liberty to move for suspension of sentence, if the appeal is not taken up for final hearing within six months.

The appeal could not be taken up for final hearing within the period of six months.

Even otherwise, the appellant has already spent two years or thereabout in custody.

The appellant is sentenced to maximum imprisonment provided, i.e. five years. I have scrutinized the reasoning of the trial court. In view of the fact that the appellant has already served detention of two years, I am inclined to suspend the sentence and release the appellant on bail.

The substantive sentence is suspended till the disposal of the appeal.

Bail as in trial court.

List the appeal for final hearing on 20.02.2018 at serial 1.

If the appellant is put on notice that if he does not co-operate in the disposal of the appeal, this court would reconsider the order of suspension of sentence and grant of bail.

JUDGE

NSN