

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

**CRIMINAL APPEAL NO.693 OF 2019
ALONGWITH
CRIMINAL APPLICATION NO.738 OF 2019**

Vipul Ravindra Yadav Appellant/Applicant
(Ori. Accused no.1)

Vs.

The State of Maharashtra Respondent

Mr. Shekhar Arvind Ingawale for the appellant/applicant.

Mr. S.R. Agarkar, APP for State.

Coram : Smt. Sadhana S. Jadhav, J.

Date : 2nd May 2019

P.C.:

- 1 Heard the respective counsel.
- 2 Appeal admit.
- 3 The above application is filed under Section 389 Code of Criminal Procedure seeking suspension of substantive sentence imposed upon the appellant/applicant. The applicant herein is convicted by the District Judge-4 and Additional Sessions Judge, Sangli vide judgment and order dated 22nd March 2019 in Sessions Case No. 142 of 2014, for the offences punishable under Sections 498-A and 306 of

Indian Penal Code and sentenced to suffer rigorous imprisonment for one year, three years, fine of Rs.2,000/-, Rs.5,000/-, in default to suffer simple imprisonment for three months, three months respectively.

4 The appellant was married for hardly six months. He had sent his wife (deceased) to her maternal house for appearing in the examination. While returning, there was a trifling dispute. She simply entered into the house, poured kerosene on her person and got immolated.

5 The sentence imposed upon the applicant is a short term sentence. This Court is hearing the jail appeals of the year 2013 and that there is no possibility of the appeal being finally heard expeditiously. Hence, the applicant deserves extension of the same relief during pendency of the appeal. Hence, the following order.

ORDER

- i) The application is allowed.
- ii) The substantive sentence imposed upon the applicant vide judgment and order dated 22nd March 2019 is hereby suspended.
- iii) The applicant be enlarged on bail on furnishing P.R. bond in the sum of Rs.25,000/- with one or more solvent sureties in the like amount.

iv) The applicant shall mark his presence before the District Judge-4 and Additional Sessions Judge, Sangli once in six months on the date assigned by the Sessions Judge.

v) Upon failure to attend any two consecutive dates, the Sessions Court shall make a report to the High Court and the prosecution would be at liberty to file an application seeking cancellation of bail.

Parties to act on authenticated copy of this order.

(Smt. Sadhana S. Jadhav, J)