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

**CRIMINAL APPLICATION NO. 346 OF 2019
IN
REVISION APPLICATION NO. 339 OF 2019**

Dattatray Nagnath Jadhav & Ors.

..Applicants

Vs

The State of Maharashtra .

..Respondents

Mr. Sachin Thorat for the Applicants.

Ms. J.S. Lohokare, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 10th July 2019.

P.C.:

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

2] Heard the learned Counsel for the applicants and the learned APP. Perused the record.

3] The applicants have been convicted under Section 326, 323 read with 34 of the Indian Penal Code and have been sentenced to suffer rigorous imprisonment for one year and to pay a fine of Rs.2000/-each, in default of payment of fine to further undergo rigorous imprisonment for one month, by the learned 7th Judicial Magistrate First Class, Pandharpur,

District Solapur in R.C.C. No.258 of 2010 by its Judgment and Order dated 9.5.2013.

Criminal Appeal bearing No.26 of 2013 preferred by the applicants has been dismissed by the learned Joint Additional Sessions Judge, Pandharpur by its Judgment and Order dated 28.6.2019.

4] Learned counsel for the applicants on instructions submitted that, the applicants have already deposited fine amount in the Trial Court.

5] As the maximum sentence imposed upon the applicants is one year of rigorous imprisonment and the possibility of hearing of the present Revision in near future is remote, I am inclined to suspend the substantive sentence imposed upon the applicants and release them on bail.

Hence the following Order:

(i) During the pendency of the present Revision, the substantive sentence imposed upon the applicants is hereby suspended.

(ii) During the pendency of the Revision, the applicants be released on bail on their furnishing PR bond in the sum of Rs.10,000/- each with one or two local sureties in the like amount.

(iii) The procedure for bail be completed before the Trial Court i.e. 7th Judicial Magistrate First Class, Pandharpur.

(iv) After their release from jail, the applicants shall attend the Trial Court i.e. 7th Judicial Magistrate First Class, Pandharpur, Pandharpur on every 1st Monday of every third month between 11.00 a.m and 2.00 p.m. and to mark their presence. If the 1st Monday of the concerned month falls on a holiday and/or a non Court working day, the applicants shall mark their presence immediately on the next working day.

6] Application is allowed in the aforesaid terms.

All the concerned to act on an authenticated copy of this Order.

(A.S.GADKARI, J.)