

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.15 OF 2019

IN

CRIMINAL APPEAL NO.10 OF 2019

WITH

CRIMINAL APPLICATION NO.16 OF 2019

IN

CRIMINAL APPEAL NO.10 OF 2019

Amar Ravindra Sawant ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

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Mr.B.B.Tiwari i/b. BBT Legal, Advocate for the applicant.

Mr.P.H.Gaikwad-Patil, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 14th JANUARY 2019.

P.C. :

1 These are applications by the applicant/accused No.1 Amar Ravindra Sawant for suspension of sentence and releasing the applicant/accused No.1 on bail during pendency of the appeal filed by him.

2 The applicant/accused No.1 is convicted for the offences punishable under Sections 332, 353 and 186 read with

Section 34 of the Indian Penal Code. Different sentences are imposed on him on each count, the highest among which is rigorous imprisonment for two years for the offence punishable under Section 332 read with Section 34 of the Indian Penal Code. The learned trial Court has directed that all substantive sentences shall run concurrently.

3 Heard the learned Advocate appearing for the applicant/accused No.1 as well as the learned Additional Public Prosecutor for the respondent/State.

4 The learned Advocate appearing for the applicant submitted that upon his conviction, the learned trial Court was pleased to invoke powers under Section 389 of the Code of Criminal Procedure in suspending the sentences imposed on the applicant/accused No.1 and he is already released on bail. The learned Additional Public Prosecutor is not disputing this fact.

5 Considering the fact that the short sentence is imposed on the applicant which is already suspended by the learned trial Court, the applicant/accused No.1 is entitled to be released on bail, but considering the nature of offences held to be proved against him with the following conditions.

ORDER

- (i) The applications are allowed.

- (ii) The substantive sentence of imprisonment imposed on the applicant/accused is suspended and he is directed to be released on bail on his executing P. R. Bond of Rs.15,000/- and on furnishing surety in the like amount.
- (iii) As a condition of this order, the applicant/accused No.1 should attend the concerned Police Station on every first Monday in between 11.00 a.m. to 1.00 p.m. till disposal of the appeal.
- (iv) The applicant should not repeat commission of any offence in future and failure to abide by these conditions shall result in withdrawing the liberty granted to the applicant by this Court.
- (v) Both the applications stand disposed of accordingly.

(A.M.BADAR J.)