

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.146 OF 2019

IN

CRIMINAL APPEAL NO.142 OF 2019

Sidramayya Rachayya Swami & Ors. ... **Applicants**

V/s.

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

.....

Mr.Viresh V. Purwant, Advocate for the Applicants.

Mr.S.V.Gavand, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 7th FEBRUARY 2019.

P.C. :

1 This is an application for suspension of sentence and releasing the applicants/accused on bail during pendency of the appeal filed by them. They are convicted for the offences punishable under Sections 147, 148, 325, 324, 323, 337 and 504 read with Section 149 of the Indian Penal Code by the learned trial Court. Different sentences are imposed on different counts. Highest amongst them is that of rigorous imprisonment for four years for the offence punishable under Section 325 read with Section 149 of the Indian Penal Code. Some fine is also imposed so also the default sentence.

2 Heard the learned Advocate appearing for the applicant/accused. He argued that offences held to be proved against the applicant/accused are bailable offences. They were on bail during pendency of the trial.

3 The learned Additional Public Prosecutor opposed the application.

4 Considering the fact that the applicants/accused were on bail during pendency of the trial and that short sentence of imprisonment is imposed on them, the following Order.

ORDER

- (i) The application is allowed.
- (ii) The substantive sentence of imprisonment imposed on the applicants/accused is suspended and they are directed to be released on bail on their executing P. R. Bond of Rs.15,000/- each and on furnishing surety in the like amount by each of them.
- (iii) The application is disposed of accordingly.

(A.M.BADAR J.)