

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

**CRIMINAL APPLICATION NO.573 OF 2019
IN
CRIMINAL APPEAL NO. 620 OF 2015**

Sachin @ Gopinath Bhagwan Dhumal and ors. ... Applicants
Vs
The State of Maharashtra ... Respondent

...
Mr. Prashant Patil a/w Mr.Panit Sonawane for the applicants.
Mr.A.S. Patil, APP, for the respondent-State.

...

CORAM : DAMA SESHADRI NAIDU, J.

DATE : 18th JULY 2019.

P.C. :

The applicants are the accused nos.1, 2 and 4 in Crime No.23/2008 before Shirala Police Station, Sangli, for the alleged offences under Sections 307, 143, 147, 148, 149, 342, 323, 504, and 506 of Indian Penal Code, 1860. Upon committal, the learned Additional Sessions Judge, Islampur, in Sessions Case No.33 of 2008, tried the applicants and convicted them, among other things, to 7 years' rigorous imprisonment. As the Judgment was delivered in 2015, the applicants have been serving the sentence ever since. By now, they have completed 50% of the sentence.

2. In the above factual background, heard Shri Patil, the learned

counsel for the applicants, and Shri A. S. Patil, the learned APP, for the respondent-State.

3. First, the applicants have already served 50% sentence; second, it is difficult for this Court to dispose of the appeal immediately. So it serves the interest of justice if the applicants' sentence is suspended and they are enlarged on bail. I do so subject to these conditions:

:: ORDER ::

- (i) Criminal Application is allowed.
- (ii) Substantive sentence imposed on the applicants/accused is suspended and they are directed to be released on bail on their executing P.R. Bond for Rs.30,000/- each and on their furnishing two sureties for the like amount by each.
- (iii) The applicants/accused should not contact the first informant or the victim, or any other member of the victim's family, or other witnesses, in any manner, pending this appeal.
- (iv) The applicants' failure to abide by these conditions will entail the prosecution to apply for cancellation of bail.
- (v) Criminal Application is, accordingly, disposed of.

(DAMA SESHADRI NAIDU, J.)