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

**CRIMINAL APPLICATION NO. 365 OF 2019
IN
CRIMINAL REVISION APPLICATION NO. 346 OF 2019**

Vijay Sakharam Patil and others	...	Applicants
V/s.		
The State of Maharashtra and ors	...	Respondents

Mr. Gaurav M. Parkar, for Applicants.
Mr. R. M. Pethe, APP for Respondent.

CORAM : A.S. GADKARI, J.

DATE : 31st 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 for the respondent-State Perused the record.
- 3] The applicants have been convicted under Sections 325, 323, 441 and 504 read with 34 of the Indian Penal Code, and sentenced to suffer Rigorous Imprisonment of three years and pay a total fine of Rs.3,000/-,

each, by the learned Chief Judicial Magistrate, Raigad -Alibag in R.C.C. No.33/2005, by its Judgment and Order dated 1st December, 2009.

4] Criminal Appeal bearing No.80 of 2009 preferred by the applicants has been partly allowed by the learned Additional Session Judge, Raigad- Alibag, by its Judgment and Order dated 2nd July, 2019 and the substantive sentence imposed upon the applicants has been reduced to one year from three years.

5] Learned advocate for the applicants submitted that, the applicants have already deposited fine amount in the Registry of the Appellate Court.

5] As the maximum sentence imposed upon the applicants is one year of rigorous imprisonment and the possibility of the present Revision being heard on its own merits 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 suspended.
- (ii) During the pendency of the Revision, the applicants be released on

bail on their furnishing PR bonds in the sum of Rs.20,000/- each with one or two separate local sureties in the like amount.

(iii) The procedure for the bail be completed before the Trial Court i.e. Chief Judicial Magistrate Raigad-Alibag.

(iv) After released on bail, the applicants shall attend the trial Court i.e. Chief Judicial Magistrate Raigad-Alibag, on every first Monday of the third month between 11.00 a.m. to 2.00 p.m. and shall mark their presence. If the said Monday falls on holiday and/or non court working day, the applicants shall mark their presence immediately on the next Court working day.

6] Application is allowed on the aforesaid terms.

7] All concerned to act on the authenticated copy of this order.

[A.S. GADKARI, J.]