

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1237 OF 2019
IN
CRIMINAL APPEAL NO. 1013 OF 2019**

Ashok Trimbak Zori ... Appellant/Applicant

V/s.

The State of Maharashtra ... Respondents

Mr. Satyam H. Nimbalkar for the Appellant

Mr.Y.M. Nakhwa-APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J

DATED : 14TH AUGUST, 2019.

P.C. :

1. Heard.
2. This is an application filed under Section 389 of Cr.P.C. The applicant herein is seeking suspension of substantive sentence imposed upon the applicant by the Ex. Joint Additional Sessions Judge, Barshi in Sessions Case No. 7 of 2015- J, vide judgment and order dated 6th May 2019, thereby convicting the applicant for the offences punishable under Sections 452, 354 r/w. 354-A of I.P.C. and sentenced to suffer R.I. for two years and to pay a fine of Rs. 2000/-, on each count, in default, he shall suffer further S.I. for one month on each count.
3. The applicant was on bail during the pendency of the trial and has not committed breach of any conditions imposed upon him. The sentence imposed upon him is short term sentence. Hence, the

applicant is entitled to the extension of the same relief during the pendency of the appeal. Hence, the following order:-

ORDER

- i) The Criminal Application is allowed.
 - ii) The substantive sentence imposed upon the applicant vide judgment and order dated 6th May 2019 by the Ex. Joint Additional Sessions Judge, Barshi is hereby suspended.
 - iii) The applicant be enlarged on bail on furnishing P.R. bonds in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) and one or more sureties in the like amount.
 - iv) The applicant shall cause his presence before the Ex. Joint Additional Sessions Judge, Barshi once in six months on the date assigned by the Ex. Joint Additional Sessions Judge, Barshi.
 - vi) Upon failure to attend any two consecutive dates, the the learned Ex. Joint Additional Sessions Judge, Barshi shall make report to the High Court and the prosecution would be at liberty to seek cancellation of bail.
 - vii) The application stands disposed of.
5. Parties to act on an authenticated copy of this order.

(SMT. SADHANA S. JADHAV, J)