

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

CRIMINAL APPLICATION NO. 441 OF 2019

Dr. Jayant Sahebrao Jadhav ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. M.S. Mohite a/w Mr. S.R. Phanse for the Applicant.

Mr. R.M. Pethe APP for the State.

**CORAM : A.S. GADKARI J.
DATE : 28th August, 2019**

P.C. :-

1. This is an application for suspension of sentence and for releasing the applicant on bail.
2. The applicant-original accused, is convicted under Section 354 of Indian Penal Code and is sentenced to suffer rigorous imprisonment for one year and to pay fine amount of 3,000/- in default of payment of fine to further suffer rigorous imprisonment for three months by the learned 6th Additional Chief Judicial Magistrate, Thane, by its Judgment and Order dated 27th December 2016 passed in RCC No. 513 of 2014.

The Criminal Appeal No. 3 of 2017 preferred by the applicant has been dismissed by the learned Additional Sessions Judge, Thane, by its Judgment and Order dated 13th August 2019.

3. The learned Counsel for the applicant submitted that after dismissal of Appeal of the applicant, applicant has been taken into custody for undergoing sentence.

4. As the maximum sentence imposed upon the applicant is one year of rigorous imprisonment and the possibility of hearing the Revision Application on its own merits in near future is remote, I am inclined to suspend the substantive sentence imposed upon the applicant and release him on bail.

5. Hence, following order :

(i) During the pendency of the present Revision Application, the substantive sentence imposed upon the applicant is hereby suspended.

(ii) During the pendency of the present Revision, the applicant is released on bail on the following terms and conditions.

(a) The applicant be released on bail on his furnishing PR Bond of Rs.20,000/- with

one or two solvent local sureties in the like amount.

(b) The procedure for bail be complied with before the trial Court.

(c) After his release from jail, the applicant shall attend the Appellate Court on every first Monday of every third month between 11.00 am and 2.00 pm and mark his presence. If the said Monday comes on a holiday or non Court working day, the applicant shall mark his presence immediately on the next working day.

6. Application is allowed in the aforesaid terms.

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

(A.S.GADKARI, J.)