

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1933 OF 2018
WITH
CRIMINAL APPLICATION NO.1934 OF 2018
WITH
CRIMINAL APPLICATION NO.1935 OF 2018
IN
CRIMINAL APPEAL NO. 1008 OF 2019

Lallu @ Arjun Baburam Gupta ... Applicant

v/s.

The State of Maharashtra ... Respondent

Mr. Sushil Kumar S. Upadhyay for the applicant.

Mr. A.S.Patil, APP for the State.

CORAM : DAMA SESHADRI NAIDU, J.

24th July 2019.

P.C.

The applicant was sentenced to three years' rigorous imprisonment and with fine of Rs.10,000/-, for the offence punishable under Section 354 read with Section 34 of IPC. On the day of the

sentence, that is on 20th June 2018, the trial Court suspended the sentence for a limited period, to enable the applicant to file appeal.

2. The applicant has filed this criminal appeal with 70 days delay. For the reasons mentioned in the application, the delay stands condoned.

3. Now the applicant's counsel informs the Court that as the time the trial Court initially granted expired, the applicant surrendered before the police and had been remanded. Now he stands lodged in Central Prison, Thane.

4. As the sentence is for three years and as applicant has already paid the fine, this Court suspends the sentence and enlarges the applicant on bail subject to these conditions:-

ORDER

- (i) Application is allowed.
- (ii) Substantive sentence imposed on the applicant is suspended and he is directed to be released on bail on his executing P.R. Bond for Rs. 20,000/- and on his furnishing two sureties, each for the like sum.
- (iii) Pending the appeal, the applicant should not influence the witnesses or tamper with evidence.

- (iv) The applicant's failure to abide by these conditions will entail the prosecution to apply for cancellation of bail now granted to the applicant.
- (v) Criminal Application is accordingly disposed of.

(DAMA SESHADRI NAIDU, J)

L.S. Panjwani, P.S.