

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

CRIMINAL APPLICATION NO. 237 OF 2018

IN

CRIMINAL REVISION APPLICATION NO. 313 OF 2016

Manoj Kapadia & anr.

..Applicants.

v/s.

The State of Maharashtra & ors.

..Respondents.

Mr. Piyush Navinchandra Shah, advocate for appellants.

Ms. Niranjana Pradhan h/f. H.H. Nagi and Associates, advocate for respondent No. 2.

Mr. S.S. Hulke, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : JANUARY 23, 2020.

P. C. :

1 Heard the learned Counsel for the applicants, learned Counsel for the respondent No. 2 and learned APP.

2 The applicant herein was enlarged on bail upon executing P.R. Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount vide order dated 20/7/2016 by this Court(Coram: Revati Mohite Dere, J). The Revision Application was admitted vide order 13th March, 2018 by this Court (Coram : N.W. Sambre, J).

3 Today matter is again listed for suspension of sentence. In fact, enlargement on bail itself would amount to suspension

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of sentence. In view of this, it would not be necessary for suspending sentence. But at the same time, it would be necessary to ensure presence of the applicant. Hence, following order is passed.

4 In view of disposal of the bail application, the application for suspension of sentence will stand disposed of.

5 The applicant to cause his appearance before the Metropolitan Magistrate at Andheri in Criminal Case No. 3042 of 2003, once in every 6 months on the date assigned by the learned Magistrate.

6 Upon failure to attend any two consecutive dates by the applicant, learned Magistrate shall report the same to the High Court. The prosecution would be at liberty to move for cancellation of bail.

[SMT. SADHANA S. JADHAV, J.]