

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI. INTERIM APPLICATION NO. 1386 OF 2020

IN

CRIMINAL APPEAL NO. 467 OF 2020

Chetan Krishnadas Gujar

... Applicant/Appellant

Vs.

The State of Maharashtra

... Respondent.

Mr. Anand Shalgaonkar for the Applicant/Appellant.

Mr. S. S. Hulke, A.P.P. for Respondent-State.

CORAM : A.S. GADKARI, J.

DATE : 14th December 2020.

PC. :

This is an application for suspension of sentence and releasing the applicant on bail.

2. Heard Mr. Shalgaonkar, learned counsel for the applicant and Mr. Hulke, learned A.P.P. for the respondent-State.

3. The applicant is original accused No.2. Applicant is convicted under Section 411 of the Indian Penal Code and is sentenced to suffer rigorous imprisonment of two years and to pay a fine of Rs.5,000/-, in default of payment of fine to further suffer rigorous imprisonment for three months by the learned Additional Sessions Judge, Pune in Sessions Case No.9 of 2016 by its Judgment and Order dated 06th November 2020.

4. Learned counsel for the applicant submitted that, the applicant was on bail during trial and did not breach any of the conditions imposed upon him by the trial Court. He further on instructions submitted that, the applicant has already deposited entire fine amount in the Registry of the Trial Court. He submitted that, there are no antecedents at the discredit of the Applicant.

5. The sentence imposed upon the applicant is a short term sentence of two years of rigorous imprisonment. The possibility of hearing present Appeal on its own merits in near future is remote.

6. In view of the above, the sentence imposed upon the applicant can be suspended and the applicant can be released on bail.

Hence, the following Order :-

- (i) During the pendency of the present Appeal, the substantive sentence imposed upon the applicant is suspended.
- (ii) Applicant be released on bail in Sessions Case No.9 of 2016 on his furnishing PR. bond of Rs.15,000/- with one or two local sureties in the like amount.

7. Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)