

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1453 OF 2019

IN

CRIMINAL APPEAL NO.1180 OF 2019

MIRABAI DILIP SALVE

)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA AND ANR.

)...RESPONDENTS

Ms.Anjali Patil, Advocate for the Applicant.

Mr.A.R.Kapadnis, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 9th MARCH 2020

P.C. :

1 This is an application for suspension of sentence and releasing the applicant/convicted accused on bail during pendency of the appeal filed by her. The applicant/accused is convicted of the offence punishable under Section 370(A)(2) read with 120B of the Indian Penal Code and sentenced to suffer rigorous imprisonment for 3 years apart from direction to pay fine of

Rs.500/-, and in default, to undergo simple imprisonment for 1 month.

2 Heard the learned counsel appearing for the applicant/convicted accused. She submitted that substantive sentence of imprisonment imposed on the applicant/convicted accused has already been suspended by the learned trial court after conviction on 25th July 2019. She further pointed out that this court has also extended the order of suspension of sentence passed by the learned trial court.

3 I have also heard the learned APP appearing for the State.

4 Short sentence of imprisonment of 3 years imposed on the applicant/convicted accused by the learned trial court was already suspended by the learned trial court vide order dated 25th July 2019 and that order is further extended by this court vide order dated 21st November 2019 (Coram : PN.Deshmukh, J.).

5 Considering the pendency of appeals before this court and the fact that the substantive sentence imposed on the applicant/convicted accused has already been suspended by the learned trial court, the following order :

ORDER

- i) The application is allowed.

- ii) Substantive sentence of imprisonment imposed on the applicant/convicted accused is suspended and the applicant/convicted accused is directed to be released on bail on her executing P.R.Bond in the sum of Rs.15,000/- and on furnishing surety in like amount.

- iii) The application is disposed off.

(A. M. BADAR, J.)

Arti V.
Khatate

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