

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

912 CRIMINAL APPLICATION NO. 2388 OF 2021
IN APEAL/508/2021

ANIL VITTHAL GADVE
VERSUS
THE STATE OF MAHARASHTRA

Mr.B.G. Sagade, Advocate for the applicant.
Mr.S.P. Sonpawale, APP for the respondent/State.

CORAM : N.R.BORKAR, J.
DATED : 21.10.2021

PC :-

01. This is an application for suspension of sentence and to release the applicant on bail. The applicant came to be convicted for the offence punishable under section 332 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for six months and to pay fine of Rs.1500/-, in default, to suffer simple imprisonment for fifteen days. The applicant is also convicted for the offence punishable under section 353 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for one year and to pay fine of Rs.2500/-, in default, to suffer simple imprisonment for one month.

02. I have heard learned Counsel for the applicant and learned APP for the respondent-State.

03. Learned Counsel for the applicant submits that applicant has good case on merit. It is further submitted that the applicant was on bail during trial and the applicant did not misuse the liberty granted to him.

04. On the other hand, learned APP submits that the applicant is involved in serious crime of assault on public servant and accordingly it is submitted that the application be rejected.

05. Considering the short term of sentence and the fact that the applicant was on bail during trial, I am inclined to suspend the substantive sentence and release the applicant on bail. In the result, following order is passed :-

(3)

cria2388.21

O R D E R

- (1) The application is allowed.
- (2) Substantive sentence is suspended and the applicant be released on bail on executing PR bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in like amount.
- (3) The application is disposed of.
- (4) Bail before the Trial Court.

[N . R . BORKAR , J .]