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

***CRIMINAL INTERIM APPLICATION NO.450 OF 2021
IN
CRIMINAL APPEAL NO.126 OF 2021***

Sagar Balaso @ Balasaheb Bhosale	...Applicant
Versus	
State of Maharashtra	...Respondent

Mr. Ashish P. Pawar a/w Mr. Amit Icham, for the Applicant.

Mr. S. V. Gavand, A.P.P for the Respondent – State.

CORAM : REVATI MOHITE DERE, J.

DATE : 24th FEBRUARY, 2021

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicant seeks suspension of his sentence and enlargement on bail, pending the hearing and final disposal of the appeal.
3. The applicant vide Judgment and Order dated 4th January 2021, passed by learned Additional Sessions Judge, Sangli in Sessions Case No.140 of 2019, has been convicted and sentenced as under:-

- for the offence punishable under Section 332 of the Indian Penal Code to suffer rigorous imprisonment for 6 months and to pay fine of Rs.500/- in default, to suffer further rigorous imprisonment for 1 month;
- Although the applicant was also convicted for the offences punishable under Sections 353 and 323 of the Indian Penal Code, no separate sentence has been awarded;
- for the offence punishable under Section 504 of the Indian Penal Code to suffer rigorous imprisonment for 6 months and to pay fine of Rs.500/- in default, to suffer further rigorous imprisonment for 1 month.

The aforesaid sentences were directed to run concurrently.

4. Perused the papers. It is not in dispute that the applicant was on bail pending trial and post his conviction and has not misused or abused the liberty granted to him. The Appeal has been admitted by a separate order passed today and the same is not likely to come up for the hearing in the immediate near future. The sentence awarded is a short term sentence.

5. Considering the aforesaid, the application is allowed and the applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of his Appeal, on the following terms and conditions :-

ORDER

- i) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- ii) The Applicant shall report to the trial Court, once in four months on the day/date specified by the trial Court, till his Appeal is finally disposed of;
- iii) The Applicant shall keep the trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time;
- iv) If there are two consecutive defaults in appearing before the trial Court, the learned Judge shall make a report to the High Court and the prosecution would be at liberty to file an application seeking cancellation of bail.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.