

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

INTERIM APPLICATION NO. 555 OF 2020

IN
CRIMINAL APPEAL NO. 172 OF 2020

Bhimashankar Mallikarjun
Dhangapure
V/s.

....Applicant

The State of Maharashtra

....Respondent

* * * *

Mr. S.P. Rajepandhare, Advocate for the applicant.

Mr. S.R. Agarkar, APP for State.

PSI, D.B. Ligade, Solapur City Police Station present.

CORAM : SANDEEP K. SHINDE, J.

Thursday, 4th February, 2021.

P.C . :

1. Heard learned Counsel for the applicant and
learned APP for State.

2. The learned Additional Sessions Judge-3, Solapur, convicted the appellant (accused) for the offence punishable under Section 135 of the Electricity Act and sentenced him to suffer simple imprisonment for a period of one year and fine of Rs.14,48,370/- with default stipulation. That too say, to undergo simple imprisonment for the period of six months, by judgment and order dated 29th January, 2020 passed in Special Case (MSEB) No. 12/2012. The learned trial Judge, declined to suspend the sentence since the applicant did not pay the fine.

3. At any rate, the substantive sentence is for one year, and for default, additional six months. Appellant has undergone the punishment of a year and a month.

4. In this view of the matter, the sentence imposed by the Additional Sessions Judge-3, Solapur in Special Case (MSEB) No.12/2012 is suspended and applicant is directed to be released on bail on the following conditions and hence the following order :

O R D E R

(i) The applicant arrested in Crime No. 3023/2009 registered with Jail Road Police Station, Solapur be released on bail on executing P.R. bond for the sum of Rs.50,000/- (Rs. Fifty Thousand only) with one or more sureties in like sum.

(ii) The applicant shall mark his presence in the Court of Additional Sessions Judge-III, Solapur on fourth Monday of each month till further orders.

(iii) The applicant shall furnish particulars of his permanent residential address and contact details to the Investigating Officer within seven days from his release from jail.

5. The application is accordingly allowed and disposed of.

6. It is made clear that observations made hereinabove be construed as expression of opinion only for the purpose of granting bail and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)