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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL INTERIM APPLICATION NO.1235 OF 2021
IN
CRIMINAL APPEAL NO. 353 OF 2021**

Sakharam@ Sachin Ramesh Sawant
Versus

...Applicant

State of Maharashtra

...Respondent

Mr. Omkar Nagavekar i/b Ms. Prabha Badadare, for the Applicant.

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

CORAM : REVATI MOHITE DERE, J.

DATE : 23rd APRIL, 2021

(THROUGH VIDEO CONFERENCING)

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 aforesaid appeal.
3. The applicant vide Judgment and Order dated 24th March 2021, passed by learned Sessions Judge, Sindhudurg, Oros in Sessions Case No. 12 of 2019, has been convicted and sentenced as under:-
 - for the offence punishable under Section 353 of the Indian Penal

Code, to suffer rigorous imprisonment for 1 year and to pay fine of Rs.2,000/- in default, to suffer simple imprisonment for 10 days;

- 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.1,000/- in default, to suffer simple imprisonment for 07 days.

Both the aforesaid sentences were directed to run concurrently.

As far as offences punishable under Sections 504 and 506 of the Indian Penal Code are concerned, the applicant was acquitted of the said offences.

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

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 six 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.