

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1104 OF 2021****IN****CRIMINAL REVISION APPLICATION (ST.) NO. 5593 OF 2021**

Jayant Sharad Suryawanshi

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Manoj M. Gadkari for the Applicant.

Mr. S.S. Hulke, A.P.P. for Respondent-State.

CORAM : A.S. GADKARI, J.**DATE : 21st April 2021.****(Through Video Conferencing)****PC. :**

1. This is an application for suspension of sentence and releasing the Applicant on bail.

2. Applicant has been convicted under Section 354(A) of the Indian Penal Code and is sentenced to suffer rigorous imprisonment for 1 year and to pay a fine of Rs.10,000/-, in default of payment of fine to further suffer simple imprisonment for 15 days, by the learned Judicial Magistrate First Class, Court No.4, Pune in Regular Criminal Case No.4529 of 2015 by its Judgment and Order dated 4th February 2016.

Criminal Appeal No.112 of 2016 preferred by the Applicant has

been dismissed by the learned Additional Sessions Judge, Pune, by its Judgment and Order dated 6th February, 2019.

3. Mr. Gadkari, learned counsel for the Applicant submitted that, the Applicant was released on bail during the pendency of trial so also the Appeal and there is no report of breach of any of the conditions imposed upon him. He, on instructions, submitted that, the Applicant has already deposited the entire fine amount in the Registry of the Trial Court.

4. The sentence imposed upon the Applicant is a short term sentence. The possibility of hearing the present Revision Application on its own merits in near future is remote. In view thereof, the sentence imposed upon the Applicant can be suspended and he can be released on bail.

5. Hence, the following Order :-

- (i) During the pendency of the present Revision Application, the substantive sentence imposed upon the Applicant is suspended.
- (ii) Applicant be released on bail in R.C.C. No.4529 of 2015 on his furnishing PR. bond of Rs.20,000/-, with one or two local sureties in the like amount.
- (iii) After his release from Jail and during the pendency of present Revision Application, initially for a period of one year, the Applicant shall attend Vishrambag Police Station, Pune, on every first Monday between 10.00 a.m. and 12.00 noon.

After the end of one year, the Applicant shall attend the

Vishrambag Police Station, Pune, on every first Monday of the every 3rd Month between 10.00 a.m. and 12.00 noon. The Applicant thus, shall attend Vishrambag Police Station, Pune, 4 times in a year during the pendency of the present Revision Application.

(iv) If the Applicant commits two consecutive defaults in complying with condition condition No.(iii) above, in that event, the prosecution will be at liberty to file an Application for cancellation of bail.

6. Application is allowed in the aforesaid terms.

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

[A.S. GADKARI, J.]