

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1010 OF 2020
IN
CRIMINAL APPEAL NO. 327 OF 2020

Ankush Lala Chavan ..Applicant
V/s.
The State of Maharashtra ..Respondent

Mr. Shivshankar D. Patil, for the Applicant.
Mr. R. M. Pethe, APP for the Respondent/State.

CORAM : C.V. BHADANG, J.

DATE : 15 DECEMBER 2021

P.C.

1. This is an application for suspension of sentence and for bail. The Applicant/Accused No.1 has been convicted for the offence punishable under Section 307 of the Indian Penal Code and has been sentenced to suffer rigorous imprisonment for 7 years with fine.

2. I have heard the learned counsel for the Applicant and the learned APP. Perused record.

3. *Prima facie*, it appears that there was a dispute between two groups initially. It has come on record that the Applicant-Appellant as well as the victim were under influence of liquor. Although the injuries sustained by victim/PW-4 are head injuries, it was suggested on behalf of the learned counsel for the

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Applicant that injuries sustained by the victim are accidental in nature on account of intoxication of the victim. The Applicant was on bail during the course of trial. The Applicant has been sentenced to undergo rigorous imprisonment of 7 years out of which the Applicant has undergone under trial incarceration from 15 August 2016 to 2 May 2017 and thereafter, the Applicant is in jail from 18 February 2020 i.e. date of his conviction.

4. Considering overall circumstances and the fact that Applicant was on bail during the course of the trial, the following order is passed.

ORDER

(i) The substantive sentence of imprisonment awarded to the Applicant is hereby suspended, pending disposal of the Appeal, subject to the Applicant furnishing a PR bond in the sum of Rs.25,000/-, with one or two solvent sureties in the like amount.

(ii) The Applicant shall report to the concerned Police Station once in every month i.e. on first Monday.

(iii) In the event there is non-compliance with the condition of attendance, the order of suspension is liable to be revoked.

(iv) The Bail bonds shall be furnished before the learned Sessions Judge.

(C.V. BHADANG, J.)