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

**CRIMINAL INTERIM APPLICATION NO.1226 OF 2021
(FOR SUSPENSION OF SENTENCE)**

IN

CRIMINAL APPEAL NO. 348 OF 2021

WITH

**CRIMINAL INTERIM APPLICATION NO.1225 OF 2021
(FOR BAIL)**

IN

CRIMINAL APPEAL NO. 348 OF 2021

Ravi Mohanlal Bhalotia

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Subhash Jha i/b Mr. Santosh S. Musale, for the Applicant.

Mr. P. H. Gaikwad-Patil, A.P.P for the Respondent – State.

CORAM : REVATI MOHITE DERE, J.

DATE : 8th APRIL, 2021

P.C. :

1. At the outset, learned counsel for the applicant seeks leave to amend the prayer clause in both the applications. Leave granted. Amendment to be carried out forthwith.

2. Heard learned counsel for the parties.

3. By these applications, the applicant seeks suspension of his sentence and enlargement on bail, pending the hearing and final disposal of the aforesaid appeal.

4. The applicant vide Judgment and Order dated 1st April 2021, passed by learned District Judge – 6 and Additional Sessions Judge, Thane, in Special MSEB Case No. 379 of 2005, has been convicted and sentenced as under:-

- for the offence punishable under Section 135 of the Electricity Act, to suffer rigorous imprisonment for 2 years and to pay fine of Rs.3 crores, in default of payment of fine, to undergo simple imprisonment for 1 year.

5. 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. It is not in dispute that the applicant was on bail pending trial and that he has not abused or misused the liberty granted to him.

6. Considering the aforesaid, the applications are 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 released on cash bail in the sum of Rs.25,000/-, for a period of four weeks;
- ii) The Applicant shall within the said period of four weeks, furnish P.R. Bond in the sum of Rs.25,000/-, with one or two sureties in the like amount;
- iii) 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;
- iv) 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;
- v) 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.

7. The Applications are allowed in the aforesaid terms and are accordingly disposed of.

8. At this stage, learned counsel for the applicant seeks leave to file a separate application seeking stay to the deposit of fine. Since there is no substantive prayer in the aforesaid applications, liberty is granted to the applicant to file a separate application.

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

REVATI MOHITE DERE, J.