

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

**INTERIM APPLICATION NO.1263 OF 2021
WITH
INTERIM APPLICATION NO.1262 OF 2021
IN
APPEAL NO.372 OF 2021**

RAJESH
VASANT
CHITTEWAN

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Mr. Sudhir Nathuram Vidya	...	Applicant/Appellant
Versus		
The State of Maharashtra	...	Respondent

Mr Vaibhav Ugle for the Applicant/Appellant.

Mr. P.H. Gaikwad, APP for the State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
(Through Video Conferencing)**

DATE : 27 AUGUST 2021

P. C. :

. The Applicant has filed these Interim Applications under Section 389 of the Code of Criminal Procedure for suspension of substantive sentence of imprisonment imposed by judgment dated 6 March 2021 in Sessions Case No.126 of 2018 by the Additional Sessions Judge, Raigad-Alibag and enlargement on bail.

2 By the impugned judgment, the Applicant has been held guilty
for offences under Section 353, 323, 504 read with 34 of the Indian

Penal Code and sentenced to suffer rigorous imprisonment of 1 year. The learned Counsel for the Applicant has stated that fine amount has already been deposited by the Applicant.

3 The Applicant has been convicted with a short term sentence. In view of pendency of old cases and the present situation arising from Covid-19 pandemic, it will not be possible to take the appeal for hearing in immediate future. Considering the above facts and the nature of the accusation, the substantive sentence of imprisonment is suspended. Pending disposal of the appeal, the Applicant is ordered to be enlarged on bail on the following terms :

- (a) The Applicant shall be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- (Rs. Ten Thousand Only) with one or two sureties in the like amount ;
- (b) The Applicant shall report to the Trial Court, once in two months on the day/date specified by the Trial Court, till the Appeal is finally disposed of ;
- (c) The Applicant shall keep the Trial Court informed of his current address and mobile contact numbers and/or change of residence or mobile details, if any, from time to time ;
- (d) 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.

5 The Interim Applications are disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)