

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

**CRIMINAL INTERIM APPLICATION NO.1514 OF 2021
IN
CRIMINAL REVISION APPLICATION NO.128 OF 2021**

Prabhas Prafulla Jana ...Applicant
V/s.
The State of Maharashtra & Anr. ...Respondents

Mr. Aashish Satpute, Advocate for Applicant.
Mr. A. R. Patil, APP for Respondent No.1 (State).

CORAM : A. S. GADKARI, J.
DATE : 9th JUNE, 2021.

P.C.:

1. This is an Application for suspension of sentence and releasing the Applicant on bail.
2. The Applicant has been convicted under Section 354 of the Indian Penal Code, 1860 (for short 'I.P.C.') and is sentenced to suffer rigorous imprisonment for a period of six months and to pay a fine of Rs.1000/-, in default of payment of fine to further suffer simple imprisonment of 15 days, by the learned Judicial Magistrate, First Class, Court No.2, Vashi, by its Judgment and Order dated 18 March 2017.

Criminal Appeal No.53 of 2017, preferred by the Applicant has been dismissed by the learned Additional Sessions Judge, Thane, by its

Judgment and Order dated 31 March 2021.

3. Mr. Satpute, learned counsel for the Applicant submitted that, the Applicant was on bail during pendency of trial so also in appeal and there is no report of breach of any of the conditions imposed upon him. He further on instructions submitted that, the Applicant has deposited fine amount in the Registry of the trial court, however, if it is not deposited till date, the Applicant will deposit the fine amount in the Registry of the Trial Court within a period of one week from today.

The said statement is accepted as an undertaking given to this 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:-

- (a) During the pendency of the Revision Application, the substantive sentence imposed upon the Applicant is hereby suspended.
- (b) During the pendency of the Revision Application, the Applicant be released on bail on his furnishing PR

bond of Rs.10,000/- with one or two local sureties in the like amount.

(c) Applicant is permitted to submit cash bail for a period of 16 weeks from today and during the said period, the Applicant is directed to comply with the condition of furnishing sureties.

(d) Applicant shall attend NRI Sagari Marg Police Station, Navi Mumbai, on every first Monday of the month initially for a period of one year.

After one year, the Applicant is directed to attend the NRI Sagari Marg Police Station, Navi Mumbai once in three months on every 1st Monday of month between 10.00 a.m. and 12.00 noon. Thus, the Applicant shall attend NRI Sagari Marg Police Station, Navi Mumbai four times in a year.

(e) Application is allowed in the aforesaid terms.

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

(A. S. GADKARI, J.)