

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

**INTERIM APPLICATION NO.1629 OF 2021
WITH
INTERIM APPLICATION NO.1631 OF 2021
IN
CRIMINAL APPEAL NO.520 OF 2021**

Shashikant Pandit Ahire

...Applicant

Versus

The State of Maharashtra

...Respondent

....

Mr. Tarun Kumar Sinha for the Applicant.

Mrs. G.P. Mulekar, APP for the Respondent-State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 27th JULY, 2021.

P.C.:-

These are the applications under section 389 of the Code of Criminal Procedure, 1973 for suspension of substantive order of sentence imposed by judgment dated 01/02/2021 passed by learned District Judge-6 and Additional Sessions Judge, Thane, in Spl. Case MPID No.18 of 2004 and to enlarge the Applicant on bail.

2. The Applicant has been held guilty of offence punishable under Section 420 of the IPC and Section 3 of the Maharashtra Protection of Interest of Depositors Act, 1999 and is sentenced to

suffer rigorous imprisonment for 5 years with fine of Rs.1,00,000/- i/d. to undergo further simple imprisonment for six months.

3. Learned counsel for the Applicant states that the Applicant shall deposit the fine amount of Rs.1,00,000/- within a period of one week. Statement is accepted.

4. The sentence imposed is a short term sentence of imprisonment. Considering the pendency and the present situation arising due to Covid-19 pandemic, final hearing of the appeal will take considerable time.

5. Considering the said fact, the substantive order of sentence is suspended pending final disposal of the appeal on merits. Hence, the applications are allowed on following terms and conditions:-

- (i) The Applicant is ordered to be released on bail on furnishing PR bond of Rs.25,000/- with one or two sureties in the like amount.
- (ii) The Applicant shall deposit the fine before Additional Sessions Judge, Thane, within a period of one week.
- (iii) In the event, the Applicant fails to deposit the fine

amount within one week, the bail order shall stand cancelled.

- (iv) The Applicant shall report to the Trial Court, once in six months on the day/date specified by the Trial Court, till the appeal is finally disposed of.
- (v) 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.
- (vi) 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.

6. The applications stand disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)