

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.109 OF 2022
IN
CRIMINAL APPEAL NO.27 OF 2022**

Shankar Bhimrao Hajare	]	Applicant
Vs.		
The State of Maharashtra	]	Respondent

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Mr. P.D. Dalvi, for Applicant.

Mrs. S.S. Sonawane, A.P.P for Respondent-State.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 14th JANUARY, 2022
(Through Video Conferencing)

P.C.

1. This is an application under section 389 of the Code of Criminal Procedure wherein the applicant came to be convicted by the learned Additional Sessions Judge, Sangli of an offence punishable under sections 332 and 353 of the Indian Penal Code. He has been sentenced to suffer simple imprisonment for six months and pay fine of Rs.500/-, in default, to undergo simple imprisonment for one month under section 332 of the Indian Penal Code.

2. The applicant has been convicted of the offence punishable under section 506 of the Indian Penal Code and sentenced to

suffer simple imprisonment for one month with fine of Rs.200/-, in default, to suffer simple imprisonment for seven days.

3. However, the applicant has not been sentenced of the offence punishable under section 353 of the Indian Penal Code, as according to the learned Additional Sessions Judge, he had already been sentenced under section 332 of the Indian Penal Code.

4. Learned Counsel makes a statement at bar that the applicant has already been enlarged on bail by the trial Court.

5. Though there is no order placed on record, I accept the statement made by the learned Counsel at bar and in view of a short sentence having been awarded by the Trial Court, substantive sentence stands suspended, pending the appeal, upon the applicant furnishing a PR bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the learned Additional Sessions Judge, Sangli.

6. The applicant shall attend the Court as and when directed.

7. The applicant shall not leave the jurisdiction of this Court without seeking prior permission.

8. The applicant shall not make any attempt either directly or indirectly to coerce, induce or contact the victim or the witnesses.

9. Breach of any of the conditions would entitle the prosecution to seek cancellation of bail.
10. The application stands disposed of.

[PRITHVIRAJ K. CHAVAN, J.]