

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1930 OF 2022

IN

CRIMINAL APPEAL NO. 637 OF 2022

Sachin Babaso Darekar

... Applicant/Original
Accused No.1

V/s.

The State of Maharashtra

... Respondent

Mr. Dheeraj Patil for Applicant.

Mr. S. S. Hulke, APP for Respondent-State.

CORAM : A.S. GADKARI, J.

DATE : 5th July 2022.

PC. :

This is an Application for suspension of sentence and releasing the Applicant on bail.

2. Applicant is original Accused No.1. Applicant is convicted under Sections 353 and 506 of the Indian Penal Code (for short, "IPC") and is sentenced to suffer maximum rigorous imprisonment of one year and to a pay total fine of Rs.1,500/- by the learned Additional Sessions Judge, Ichalkaranji, District Kolhapur in Sessions Case No.13 of 2019, by its Judgment and Order dated 25th May 2022.

3. Mr. Patil, learned Advocate for Applicant submitted that, the

Applicant has already deposited entire fine amount in the Registry of the Trial Court. He submitted that, during the pendency of the trial the Applicant was released on bail and there is no report of breach of any of the bail conditions imposed upon him.

4. The maximum sentence imposed upon the Applicant is one year of rigorous imprisonment. Possibility of hearing the present Appeal on its own merits in near future is remote. As noted earlier, the Applicant was on bail throughout the trial and there is no report of breach of any of the bail conditions imposed upon him.

5. In view thereof, during the pendency of the present Appeal, the substantive sentence imposed upon the Applicant can be suspended and he can be released on bail.

6. Hence, the following Order :-

(i) Applicant/Original Accused No.1 be released on bail in Sessions Case No.13 of 2019, arising out of C.R. No. 77 of 2015 registered with Gokul Shirgaon Police Station, District Kolhapur, on his furnishing PR. bond of Rs.25,000/- with one or two local sureties in the like amount.

(ii) During the pendency of the Appeal, Applicant is directed to attend Gokul Shirgaon Police Station,

District Kolhapur, on every first Monday of the month initially for a period of 1 year and thereafter on every first Monday of every 3rd month, i.e. 4 times in a year.

7. Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]