

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

**INTERIM APPLICATION NO.102 OF 2022
IN
CRIMINAL APPEAL NO.24 OF 2022**

Arun Kisan Yashwant

.. Applicant/
(Orig. Accused)

Versus

State of Maharashtra and Anr.

.. Respondents

.....

Mr.Jitendra M. Pathade, Advocate for the Applicant.

Mr.S.V. Gavand, APP for the Respondent – State.

.....

CORAM : PRAKASH D. NAIK, J.

DATED : JANUARY 12, 2022.

P.C. :

This is an application for suspension of sentence and grant of bail. The applicant is convicted for the offence punishable under Sections 354 and 506 of Indian Penal Code ("IPC", for short) and sentenced to suffer rigorous imprisonment for two years and to pay fine of Rs.10,000/- and Rs.5,000/-, respectively. The impugned judgment convicting the appellant is passed by the learned District Judge-2 and Additional Sessions Judge, Thane on 13th December, 2021.

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2 The sentence of imprisonment has been suspended by trial Court by order dated 13th December, 2021 till 12th January, 2022.

3 The Appeal preferred by the appellant has been admitted. The sentence awarded by the trial Court is of short term.

4 Considering the aforesaid circumstances, this application has to be allowed.

5 Hence, I pass the following order:

:: ORDER ::

- (i) Interim Application No.102 of 2022 is allowed;
- (ii) The sentence of imprisonment awarded by the learned District Judge-2 and Additional Sessions Judge, Thane, vide judgment and order dated 13th December, 2021, in Sessions Case No.267 of 2014, is suspended and the applicant is directed to be released on bail on executing P.R. bond in the sum of Rs.20,000/-, with one or more sureties in the like amount;

- (iii) To enable the applicant to execute bond in accordance with this order, the applicant is permitted to furnish cash bail in the sum of Rs.20,000/-, in lieu of surety, for a period of eight weeks;
- (iv) Interim Application No.102 of 2022, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)