

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

***CRIMINAL INTERIM APPLICATION NO.928 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.126 OF 2022***

Rahul Raju Bhise

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Shailesh Chavan, for the Applicant.

Ms. Anamika Malhotra, A.P.P for the Respondent – State.

CORAM : REVATI MOHITE DERE, J.

DATE : 17th MARCH 2022

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicant seeks suspension of his sentence and enlargement on bail, pending the hearing and final disposal of the aforesaid Revision Application.
3. The applicant vide Judgment and Order dated 5th March 2019, passed by learned Judicial Magistrate First Class, Phaltan,

District - Satara in Regular Criminal Case No.111 of 2017, has been convicted and sentenced as under:-

- for the offence punishable under Section 354 of the Indian Penal Code, to suffer rigorous imprisonment for 1 year and to pay fine of Rs.3,000/- in default, to suffer simple imprisonment for 1 month ;
- for the offence punishable under Section 354A of the Indian Penal Code, to suffer rigorous imprisonment for 1 year and to pay fine of Rs.3,000/- in default, to suffer simple imprisonment for 1 month ;
- for the offence punishable under Section 452 of the Indian Penal Code, to suffer rigorous imprisonment for 6 months and to pay fine of Rs.2,000/- in default, to suffer simple imprisonment for 15 days;
- Out of the fine amount, Rs.3,000/- was directed to be paid to the First Informant as compensation under Section 357 of the Code of Criminal Procedure.
- All the aforesaid sentences were directed to run concurrently

4. The said Judgment and Order of conviction and sentence was confirmed by the learned Additional Sessions Judge, Satara in Criminal Appeal No.22 of 2019, vide Judgment and Order dated 3rd March 2022.

5. The Revision Application has been admitted by a separate order passed today and the same is not likely to come up for the hearing in the immediate near future. The sentence imposed is a short term sentence. There is nothing to show that the applicant has misused or abused the conditions of bail either during the pendency of the trial as well as Appeal.

6. Considering the aforesaid, the application is allowed and the applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of the aforesaid Revision, on the following terms and conditions :

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;
- ii) The Applicant shall report to the trial Court, once in six months on the day/date specified by the trial Court, till his Revision Application is finally disposed of;

iii) The Applicant shall keep the trial Court informed of current address and mobile contact number and/or change of residence or mobile details, if any, from time to time;

iv) 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.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.