

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1235 OF 2022****IN****CRIMINAL APPEAL NO. 393 OF 2022**

1. Ulhas @ Pintu Vasant Ratnaparkhe	]	
2. Pravin @ Ravi Ashok Athawale &	]	
3. Kalidas Lubhaji Khandare	]	... Applicants/Appellants
V/s.		
The State of Maharashtra	]	... Respondent

Mr.Pratik R. Kalantri for Applicants/Appellants.

Mr.R.M. Pethe, A.P.P for Respondent-State.

CORAM : A.S. GADKARI, J.

DATE : 7th July 2022.

PC. :

1. This is an application for suspension of sentence and releasing the Applicants on bail.

2. Applicants are convicted under Section 304 Part-II read with 34 of the Indian Penal Code (for short, 'I.P.C.') and are sentenced to suffer rigorous imprisonment for three years and to pay a fine of Rs.1,000/- each by the learned Sessions Judge, Nashik, in Sessions Case No.111 of 2019, by its Judgment and Order dated 15th February 2022.

3. Learned Advocate for Applicants submitted that, during the pendency of the trial, the Applicants were released on bail and there is no report of breach of any of the conditions imposed upon them. He further

submitted that, the Applicants have already deposited entire fine amount in the Registry of the Trial Court.

4. The maximum sentence imposed upon the Applicants is three years of rigorous imprisonment. Possibility of hearing the present Appeal on its own merits in near future is remote. Record indicates that, the Applicants were on bail during the pendency of the trial and there is no report of breach of any of the conditions imposed upon them. In view thereof, during the pendency of the present Appeal, substantive sentence imposed upon the Applicants can be suspended and they can be released on bail.

5. Hence, the following Order :-

- (i) Applicants/Accused be released on bail in Sessions Case No. 111 of 2019 on his furnishing PR. bond of Rs.25,000/- each with one or two local sureties in the like amount.
- (ii) After their release from jail and till final disposal of present Appeal, Applicants are directed to attend Ambad Police Station, District Nashik, 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.

6. Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]