

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

**INTERIM APPLICATION NO.110 OF 2020
IN
CRIMINAL APPEAL NO.34 OF 2020**

Sou.Sushma Subal Bar

.. Applicant/ Appellant

Versus

State of Maharashtra

.. Respondent

.....

Mr.Raju D. Suryawanshi, Advocate for the Applicant/Appellant.
Mr.H.J. Dedhia, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : MARCH 02, 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 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956, and, sentenced to suffer three years rigorous imprisonment under Section 5, two years each under Sections 3 and 4 of the Immoral Traffic (Prevention) Act, 1956, vide judgment and order dated 25th November, 2019, passed by the learned District Judge-3 and Additional Sessions Judge, Thane in Sessions Case No.320 of 2017.

2 The sentence was suspended on the date of conviction till
24th December, 2019.

3 On instructions the learned counsel for the applicant submits that the applicant has surrendered before the trial Court today and she has been taken in custody.

4 The applicant was on bail during the trial. The sentence was suspended on the date of conviction. The sentence is of short term. Applicant is a lady. Considering the circumstances, application can be allowed.

5 Hence, I pass the following order:

:: ORDER ::

- (i) Interim Application No.110 of 2020, is allowed;
- (ii) The sentence of imprisonment imposed vide judgment and order dated 25th November, 2019, passed by the learned District Judge-3 and Additional Sessions Judge, Thane in Sessions Case No.320 of 2017, 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) Applicant/appellant is permitted to furnish cash bail security of Rs.20,000/-, for a period of ten weeks, in lieu of surety;

- (iv) The applicant/appellant shall attend the trial Court once in six months on first Saturday of the month, till the disposal of Appeal;
- (v) In the event there are two consecutive defaults in attending the trial Court, the said fact may be brought to notice of this Court, and, in such eventuality, the prosecution is at liberty to move an application for cancellation of bail;
- (vi) Interim Application No.110 of 2020, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)