

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

**INTERIM APPLICATION NO.1385 OF 2022
IN
CRIMINAL APPEAL NO.451 OF 2022**

Sandip Sadashiv Mane	.. Applicant/Appellant
<i>Versus</i>	
State of Maharashtra	.. Respondent

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Mr.Shantanu Kadam i/b.Mr.Gaurav Parkar, Advocate for the Applicant/Appellant.

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

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CORAM : PRAKASH D. NAIK, J.

DATED : MAY 02, 2022.

P.C. :

This is an application for suspension of sentence and grant of bail during the pendency of Criminal Appeal No.451 of 2022.

2 The applicant has been convicted for the offence punishable under Section 353 of IPC, and, sentenced to suffer imprisonment of one year. He is also convicted for the offence under Section 332 of IPC, and, sentenced to suffer imprisonment of one year. Both the sentences were directed to run concurrently. He is acquitted for the offences punishable under Sections 341, 504 and 506 of IPC. All the sentences were directed to run concurrently.

3 The sentence is of short term. The applicant/appellant was on bail during the trial. The sentence of imprisonment has been suspended by the trial Court in accordance with Section 389 of Cr.P.C. on 14th March, 2022, for a temporary period, till the Appeal period is over. The said order has been complied by the applicant/appellant and bail bond has been executed.

4 Hence, the application for suspension of sentence can be allowed.

5 Hence, I pass the following order:

:: ORDER ::

- (i) Interim Application No.1385 of 2022, is allowed;
- (ii) During the pendency of Criminal Appeal No.451 of 2022, the sentence of imprisonment imposed *vide* judgment and order dated 14th March, 2022, passed by Ad-hoc Additional Sessions Judge, Raigad Alibag, in Sessions Case No.95 of 2019, is suspended and the applicant/appellant is directed to be released on same bail as in the trial Court, with fresh bonds;

- (iii) Applicant/appellant shall attend the trial Court once in six months on first Saturday of the month, till disposal of Appeal;
- (iv) In the event of two consecutive defaults in attending the trial Court, the said fact may be brought to the notice of this Court, and, in such eventuality, the prosecution is at liberty to move an application for cancellation of bail;
- (v) Interim Application No.1385 of 2022, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)