

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

**INTERIM APPLICATION NO. 1736 OF 2022
IN
CRIMINAL REVISION APPLICATION NO. 245 OF 2022**

Sanjay Dattatraya Gole	...Applicant
Versus	
State Of Maharashtra	...Respondent

....

Mr. Vaibhav R. Gaikwad, Advocate for the Applicant.

Mr. A. D. Kamkhedkar, APP for the Respondent – State.

CORAM	:	PRAKASH D. NAIK, J.
DATE	:	23rd JUNE, 2022.

PER COURT:

1. Leave to amend. Amendment may be carried out forthwith.
2. This application is for suspension of sentence and grant of bail during the pendency of Revision Application No.245 of 2022.
3. The applicant was tried for offences punishable under Sections 326, 323 and 504 r/w Section 34 of IPC, vide R.C.C. No.62 of 1999. The learned J.M.F.C. Koregaon, by order dated 22nd January, 2015, acquitted the revision applicant for all the offences. The order of acquittal was challenged by the State by preferring appeal before the Sessions Court at Satara. The Appellate Court vide Judgment and order dated 11th April, 2022 partly allowed the appeal. The applicant was convicted for the offences under Section

326 of IPC and sentenced to suffer imprisonment for two years.

4. Learned APP submitted that the appellate court has assigned reasons for reversing the acquittal under Section 326 of IPC.

5. Undisputably the applicant was convicted by the trial Court. The order of acquittal referred to by the sessions Court the sentence of imprisonment is of short term. The revision application would not come up for hearing immediately. The applicant urged several discrepancies in the judgment of conviction.

6. Considering the aforesaid circumstances, application for suspension of sentence and grant of bail can be allowed.

ORDER

1. Interim Application No.1736 of 2022 is allowed & disposed of;

2. The sentence of imprisonment imposed vide Judgment and order dated 11th April, 2022, passed by Additional Sessions Judge, Satara in Criminal Appeal No.44 of 2015 is suspended during the pendency of the Criminal Revision Application No. 245 of 2022 and the applicant 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;

3. The applicant is permitted to furnish cash bail in the sum of Rs.20,000/- for a period of eight weeks in lieu of surety.
4. The applicant shall attend the trial Court once in six months on first Saturday of the month till the final disposal of the appeal;
5. In the event, there are 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 will be at liberty to prefer an application for cancellation of bail.

(PRAKASH D. NAIK, J.)