

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1561 OF 2022

WITH

INTERIM APPLICATION NO. 1560 OF 2022

IN

CRIMINAL APPEAL NO. 524 OF 2022

1. Piyush Dilip Gaikwad &

2. Chetan Anil Sonawane

... Applicants/Appellants

V/s.

The State of Maharashtra

... Respondent

Mr.Abhijeet J. Kandarkar for Applicants/Appellants.

Mr.S.S. Hulke, A.P.P. for Respondent-State.

CORAM : A.S. GADKARI, J.

DATE : 7th June 2022.

PC. :

1. These are applications for suspension of sentence and releasing Applicants on bail.

2. Applicants are original accused Nos.2 & 3. Applicants along with other two accused persons have been convicted under Sections 326, 367 & 506(2) read with 34 of the Indian Penal Code (for short, "I.P.C.") and are sentenced to suffer maximum rigorous imprisonment for three years for the said offences.

3. Record indicates that, the Applicants were on bail during the pendency of trial. There is no report of breach of any of the bail conditions

imposed upon the Applicants during the pendency of the trial.

The maximum sentence imposed upon the Applicants is 3 years. The possibility of hearing the present Appeal on its own merits in near future is remote and therefore during the pendency of present Appeal the substantive sentence imposed upon the Applicants can be suspended and they can be released on bail.

4. Hence, the following Order :-

- (i) Both the Applicants/Accused be released on bail in C.R. No.I-458 of 2019 registered with Nashik Road Police Station, District Nashik on their furnishing PR. bond of Rs.25,000/- each with one or two separate solvent local sureties in the same amount.
- (ii) The procedure of furnishing of PR. bond and solvent local sureties be completed within a period of 12 weeks from today.
- (iii) Till the Applicants comply with the procedure of furnishing PR. bond and solvent sureties as directed above, Applicants are permitted to deposit cash bail of Rs.25,000/- each with the Trial Court.
- (iv) After their release from jail and till final disposal of present appeal, the Applicants are directed to attend Nashik Road Police Station 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.

(v) Applicants shall not tamper or pressurise the prosecution witnesses for withdrawal or compromising the case lodged by the informant.

5. Both the Applications are allowed in the aforesaid terms.

[A.S. GADKARI, J.]

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