

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1613 OF 2022

WITH

INTERIM APPLICATION NO. 1612 OF 2022

IN

CRIMINAL APPEAL NO. 547 OF 2022

Abhijit Rajkumar Tadavi

... Applicant/Appellant

V/s.

The State of Maharashtra

... Respondent

Mr.Abhijeet J. Kandarkar for Applicant/Appellant.

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 Applicant on bail.

2. Applicant is original accused No.1. Applicant along with other 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 Applicant was on bail during the pendency of trial. There is no report of breach of any of the bail conditions imposed upon the Applicant during the pendency of the trial.

The maximum sentence imposed upon the Applicant 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 Applicant can be suspended and he can be released on bail.

4. Hence, the following Order :-

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