

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 1619 OF 2022**

**IN**

**CRIMINAL APPEAL NO. 548 OF 2022**

1. Anil Harishchandra Patil
2. Ankush Dwarkanath Patil
3. Avinash Laxman Mhatre &
4. Mahendra Hari Dalvi

... Applicants/Appellants

**V/s.**

The State of Maharashtra

... Respondent

Mr. Pradip D. Gharat for Applicants/Appellants.

Ms. Sharmila S. Kaushik, A.P.P. for Respondent-State.

**CORAM : A.S. GADKARI, J.**

**DATE : 13<sup>th</sup> June 2022.**

**PC. :**

1. This is an application for suspension of sentence and releasing the Applicants on bail.

2. Applicants have been convicted under Section 143, 147, 148, 504, 506, 324 read with Section 149 of the Indian Penal Code and under Section 37(1)(3) punishable under Section 135 of the Bombay Police Act and are sentenced to suffer maximum simple imprisonment for two years and to pay a total fine of Rs.27,100/- each by the learned Sessions Judge, Raigad-Alibag in Special (Atrocity) Case No.13 of 2014 by its Judgment and Order dated 13<sup>th</sup> May 2022.

3. Mr.Gharat, learned Advocate for the Applicants submitted that, the Applicants were on bail during the entire trial and there is no report of breach of any of the conditions imposed upon them. He further, on instructions, submitted that, the Applicants have already deposited entire fine amount in the Registry of the Trial Court.

4. As the maximum sentence imposed upon the Applicants is two years of simple imprisonment and the possibility of hearing the present Appeal on its own merits in near future is remote, the substantive sentence imposed upon the Applicants can be suspended and the Applicants can be released on bail.

5. Hence, the following Order :-

- (i) Applicants be released on bail in C.R. No.165 of 2013 registered with Alibag Police Station, District Raigad on their furnishing P.R. bond of Rs.10,000/- each with one or two separate local sureties in the same amount.
- (ii) After their release from jail and till final disposal of present Appeal, the Applicants are directed to attend Alibag Police Station on every first Monday of every 3<sup>rd</sup> month, i.e. 4 times in a year.

6. Application is allowed in the aforesaid terms.