

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1638 OF 2022****IN****CRIMINAL APPEAL NO. 558 OF 2022**

Pandurang Mula Lokhande and Anr.

.....Applicants

Vs.

The State of Maharashtra

.....Respondent

Mr. Vivekanand V. Krishnan i/by Atul A. Pund for Applicants.

Mr. R. M. Pethe, APP for State.

CORAM : A. S. GADKARI, J.**DATE : 20th JUNE, 2022.****P.C.:-**

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

2. Applicants are convicted under Section 324 read with Section 34 of Indian Penal Code and are sentenced to suffer rigorous imprisonment for six months each and to pay a fine of Rs.1,000/- each by the learned Sessions Judge, Nashik in Sessions Case No.209 of 2018, by its Judgment and Order dated 29th March, 2022.

3. Learned Advocate for the Applicants submitted that, the Applicants were on bail during the pendency of trial and there is no report of breach of any of the conditions imposed upon them. He submitted that, the Applicants have already deposited entire fine amount in the registry of trial Court. As the maximum sentence imposed upon the Applicants is six

months of rigorous imprisonment and the possibility of hearing the present Appeal on its own merits in near future is remote, this Court is of the view that, the substantive sentence imposed upon the Applicants can be suspended and the Applicants can be released on bail.

4. Hence, following Order:-

- (i) The Applicants/Accused in C.R. No. 40 of 2018 registered with Harsul Police Station, District Nashik be released on bail on their furnishing P.R. Bond of Rs.20,000/- each along with one or two separate solvent local sureties in like amount.
- (ii) After their release from Jail and during the pendency of the present Appeal, applicants shall attend Harsul Police Station, District Nashik 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.

5. Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)