

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2093 OF 2022
IN
CRIMINAL APPEAL (ST) NO. 11046 OF 2022

Hanumant Namdeo BardeApplicant/Appellant

Vs.

The State of Maharashtra and Anr.Respondents

Mr. Jaywant R. Avhad for Applicant/Appellant.
Mr. R. M. Pethe, APP for Respondent No.1-State.

CORAM : A. S. GADKARI, J.

DATE : 6th JULY, 2022.

P.C.:-

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

2. Applicant has been convicted for the offence punishable under Sections 324, 323, 354-A(1)(i) and 506 of the Indian Penal Code and sentenced to suffer maximum rigorous imprisonment for three months and to pay a total fine of Rs.9,000/- by the learned Extra Joint District Judge and Additional Sessions Judge, Malegaon in Sessions Case No.96 of 2016 by its Judgment and Order dated 8th April, 2022.

3. Learned Advocate for the Applicant submitted that, Applicant/Appellant has already deposited entire fine amount in the Registry of the Trial Court.

4. Record indicates that, the Applicant was on bail throughout

trial and there is no report of breach of any of the conditions imposed upon him. The sentence imposed upon the Applicant is a short term sentence and possibility of hearing of the present Appeal on its own merits in near future is remote. In view thereof, substantive sentence imposed upon the Applicant can be suspended and he can be released on bail.

5. Hence, the following Order :-

- (i) Applicant/Accused in Session Case No.96 of 2016 be released on bail on his furnishing P. R. bond of Rs.15,000/- with one or more local sureties in the like amount.
- (ii) During the pendency of the appeal, Applicant is directed to attend Manmad City 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.
- (iii) Applicant/Accused shall not contact prosecutrix or informant during the pendency of Appeal.

6. Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)