

as well as during pendency of appeal. The sentence is of short term. The judgments of Courts below suffers from serious discrepancies. The revision application may not be listed for hearing in near future.

3. Learned APP submits that Trial Court has recorded evidence and applicant was found guilty. The Appellate Court has maintained the conviction.

4. Having regard to the factual aspects of the matter, sentence imposed by Appellate Court and the fact that appellant was on bail through out, this application can be allowed.

ORDER

(i) Interim Application No.2404 of 2020 is allowed and disposed of;

(ii) The sentence of imprisonment imposed vide judgment and order dated 22nd October 2012 passed by Joint Judicial Magistrate, First Class, Roha in RCC No.113 of 2010 and confirmed/modified by Sessions Court vide judgment and order dated 12th July 2022 passed by Additional Sessions Judge, Mangaon, District Raigad, in Criminal Appeal No.57 of 2012, is suspended and applicant is directed to be released on bail on executing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;

(iii) The applicant is permitted to furnish cash bail in the sum of Rs.20,000/- for a period of eight weeks in lieu of sureties;

(iv) The applicant shall attend Trial Court once in six months on First Saturday of the month till disposal of the Revision Application;

(vi) In the event there are two consecutive defaults in attending the Trial Court, the Trial Court shall submit report to this Court;

(vii) In the event of default committed by the applicant in attending the Trial Court, the prosecution will be at liberty to prefer application for cancellation of bail.

(PRAKASH D. NAIK, J.)

MST