

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1608 OF 2023
IN
CRIMINAL APPEAL NO.486 OF 2023**

Ladya Rama Bhosale	...Applicant
vs.	
State of Maharashtra	...Respondent

Mr. Rahul B. Vijaymane for the Applicant.
Mr. A. R. Patil APP for the Respondent-State.

CORAM : NITIN B. SURYAWANSHI, J.

DATED : 25TH OCTOBER 2023

P. C. :

1. This is an application for suspension of sentence and grant of bail during the pendency of Criminal Appeal preferred by applicant challenging the judgment of conviction.

2. Applicant is convicted by learned Additional Sessions Judge, Solapur in Special (MCOCA) Case No.321 of 2020, for the offence under sections 395, 397 of Indian Penal Code and under sections 3(1)(ii), 3(2) and 3(4) of Maharashtra Control of Organised Crime Act, 1999 and sentenced to suffer rigorous imprisonment for seven years.

3. Learned Advocate for Applicant submits that applicant has so far undergone five and half years imprisonment out of seven years imposed by the trial Court. In respect of criminal antecedents, he submits that out of 13 cases registered against applicant, in 6 cases, he is already acquitted by the trial Court, therefore, seeks suspension of sentence of imprisonment in present case.

4. Learned APP strenuously opposed application by placing on record, a report of Investigating Officer wherein it is mentioned that there are total 13 cases registered against applicant.

5. Though, applicant has undergone substantive sentence of five and half years out of seven years imposed on him, taking into consideration his criminal antecedents and still seven cases registered under similar sections against him for commission of similar offences. Therefore, this is not a fit case to suspend sentence of imprisonment, I am not inclined to grant bail to applicant.

6. In the result, application is rejected. Appeal is expedited.

[NITIN B. SURYAWANSHI, J.]