

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

**INTERIM APPLICATION NO.2019 OF 2023
IN
CRIMINAL APPEAL NO.633 OF 2023**

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ANANT MADHUSUDAN PRABHUDESAI ..APPLICANT

VS.

THE STATE OF MAHARASHTRA & ANR. ..RESPONDENTS

Adv. Harshad Bhadbhade a/w. Adv. Dileep Satale & Adv.
Swati Khot for the appellant.

Ms. Anamika Malhotra, APP for State.

Adv. Prashant Pawar for the respondent no.2.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 2, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. This is an application for suspension of sentence. The
appeal is already admitted. The applicant is convicted for
the offence punishable under Section 354(b) of the Indian
Penal Code and sentenced to undergo rigorous
imprisonment of three years and fine. The applicant is also
convicted for the offence punishable under Sections 3(1)(e)
and 3(1)(w) of the Scheduled Castes and the Scheduled
Tribes (Prevention of Atrocities) Act, 1989 and sentenced to

undergo simple imprisonment of six months and fine. The applicant was on bail during the trial.

3. Learned APP as well as learned counsel for the respondent no.2 vehemently opposed the application.

4. It is pointed out that during the pendency of the trial the applicant committed the similar offence and even harassed the respondent no.2-victim.

5. Learned counsel for the applicant has invited my attention to the copy of the order dated 6/3/2023 passed by the trial Court wherein a reference has been made to the First Information Report (FIR) registered pursuant to the incident that had happened on 27/9/2022 and the matter is pending trial.

6. It is seen that the parties have some dispute over the landed property. The civil suit to that effect is pending before the competent Civil Court.

7. The applicant was on bail during the trial. Having perused the impugned judgment of the trial Court and having regard to the nature of dispute, a case for suspension of sentence is made out pending the Appeal.

8. The sentence imposed by the trial Court stands suspended and the applicant shall be released on bail on furnishing P.R. bond in the sum of Rs. 25,000/- with one or more sureties of the like amount to the satisfaction of the trial Court.

9. The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 8 weeks in lieu of surety.

10. The applicant shall report to the Rajapur Police Station on every first and third Monday of the month between 11.00 a.m. and 1.00 p.m.

11. The application is disposed of.

12. Hearing of the appeal is expedited.

(M. S. KARNIK, J.)