

rajshree

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.542 OF 2023**

IN

CRIMINAL APPEAL NO.138 of 2023

Hemant Vasant Raut	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondents

Mr.Rohan Hogle for the Applicant.

Mr.S.R. Agarkar, APP for the State.

PSI S.E. Netavate, Vani Police Station present.

CORAM : BHARATI DANGRE, J

DATE : 2nd May, 2023

P.C.

1] In furtherance of the query put to the learned APP on 24.04.2023, the learned APP state that the State has neither filed any Appeal nor any proposal is received to file Appeal, against the acquittal of the Appellant under Section 376 (2)(I) of the IPC.

2] In the wake of the above statement, I have perused the impugned Judgment whereby the Appellant has been convicted for committing offence under Section 452 of the IPC and fix term sentence of 3 years, is imposed upon him.

3] Considering the minuscule sentence of 3 years imposed upon the Appellant, and since the Appeal is admitted, I deem it appropriate to allow the Interim Application.

4] The substantive sentence imposed upon the Appellant under the impugned Judgment, is suspended.

The Appellant shall be released on bail in connection with Sessions Case No.54/2019, on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.

Interim Application is disposed off.

[BHARATI DANGRE, J]