

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1624 OF 2023
IN
CRIMINAL APPEAL NO.492 OF 2023

Sagar Mehendra Chheda .. Applicant

Versus

The State of Maharashtra & Anr. .. Respondents

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Mr.Ganesh Bhujbal with Mr.Vinesh Jain for the Applicant.

Mr.Anna Oommen h/f Mr.Shreeram Shirsat for the Respondent No.2.

Mr.S.R.Agarkar, A.P.P. for the State.

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CORAM: BHARATI DANGRE, J.

DATED : 27th APRIL, 2023

P.C:-

1. The Applicant seek suspension of sentence and release on bail, on being convicted for committing an offence punishable under Section 120-B, 420 of IPC and is sentenced to suffer three month's R.I. on each count. The sentences are directed to run concurrently.

2. Considering the minuscule sentence of three months imposed upon the Applicant, in the wake of the decision of the Apex Court in *Bhagwan Rama Shinde Gosai & Ors. Vs. State of Gujarat (1999) 4 SCC 421*, the sentence deserve to be suspended.

It is also informed that the Applicant was on bail throughout the trial and he has not misused his liberty. The learned counsel would also submit that in case of co-accused- Uday Singh Meena, this Court, while admitting his Appeal, has suspended his sentence and directed his release on bail.

3. In the wake of the above, the following order is passed.

: ORDER :

1. Interim Application is allowed.
2. The sentence imposed on the Applicant under the impugned judgment dated 27/02/2023 in CBI Special Case No.78 of 2014 is suspended.
3. During the pendency of the Appeal, the Applicant is released on bail on furnishing P.R.Bond to the extent of Rs.25,000/- with one or more sureties in the like amount.

(SMT. BHARATI DANGRE, J.)