

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

**INTERIM APPLICATION NO.1535 OF 2023
IN
CRIMINAL APPEAL NO.473 OF 2023**

1. Jagdish Prem Singh Mevada	...
2. Bharat Shyamji Singadia	... Applicant
vs.	
The State of Maharashtra	... Respondent

Mr. Kalam Shaikh and Sana Shaikh for the Applicant.
Mrs. P. P. Shinde APP for the Respondent.

CORAM : N. B. SURYAWANSHI, J.

DATED : 18TH 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 applicants challenging the judgment of conviction.

2. Applicants are convicted by the Additional Sessions Judge, Dindoshi under Sections 395, 412, 451, 365, 342, 170, 120(B) of the Indian Penal Code, in Sessions Case No.200 of 2015 and sentenced to suffer RI for five years and

to pay the fine of Rs.5000/- each.

3. Perused the record. Admittedly, the sentence is a short term sentence. In the light of decision of the Apex Court in the case of Bhagwan Rama Shinde Gosai and Ors. vs. State of Gujarat (1999) SCC (Cri.) 553, applicants deserve to be released on bail. No exceptional grounds are made out for not granting this Application. Apart from this Applicant No.1 has so far undergone 38 months imprisonment and Applicant No.2 has undergone 31 months imprisonment. Hence, the following order :

- (i) Application is allowed.
- (ii) Substantive sentence of imprisonment imposed vide judgment and order dated 1st February 2023 in Sessions Case No.200 of 2015 is suspended during the pendency of the Appeal.
- (ii) Applicant No.1 - Jagdish Prem Singh Mevada and Applicant No.2. Bharat Shyamji Singadia be released on bail on executing PR bond in the sum of Rs.25,000/- each with one surety in the like amount.
- (iii) At this stage learned Advocate for the Applicant makes a request that initially Applicants may be released on

executing PR bond and on furnishing cash security. After their release they will be furnishing the surety. Applicant Nos.1 and 2 shall be released on bail on furnishing cash security of Rs.25,000/- each and on executing PR bond of the same amount.

(iv) Applicant Nos.1 and 2 shall attend the trial Court once in three months on first Monday, until further orders.

(v) Applicants shall furnish their permanent address as well as present address to the trial Court along with copies of their Aadhar card and Cell numbers.

[N. B. SURYAWANSHI, J.]