

rajshree

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1683 of 2023
IN
CRIMINAL APPEAL NO.515 OF 2023

Savitakaur @ Palak Dudhani	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

Mr.Vikas Shivarkar for the Applicant.

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

CORAM : BHARATI DANGRE, J

DATE : 4th May, 2023

P.C.

1] By the present Application, the Applicant who is convicted for the offence under Section 107 read with 109 and 306 of the IPC, seek suspension of sentence. By the very same application, the Applicant has prayed for being released on bail, in the event she is constrained to appear and receive sentence in the present case.

2] The Interim Application filed with prayer clause (a) and (b) at this stage, appears to be misconceived, since, when the impugned Judgment is perused, it is seen that despite being convicted for committing offence under Section 107 read with 109 and 306 of the IPC, by extending benefit of Section 4(1) of the Probation of Offenders Act, no sentence is imposed upon her for the time being.

3] The learned Judge has directed her release on surety bond, to appear and receive the sentence, when called upon during the period of 3 years and in the meantime directed to maintain peace and good behaviour. Considering the age, supervision order is also not passed.

4] In the wake of aforesaid order, since no sentence is imposed at present, and she is already released on furnishing bond of peace and good behaviour, prayer made in the Interim Application is not justified, at this stage.

5] Reserving liberty with the Applicant to approach this Court, if at all contingency arises, seeking suspension of sentence, Interim Application is disposed off.

[BHARATI DANGRE, J]