

*Uday S. Jagtap*

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

**INTERIM APPLICATION NO. 2190 OF 2023  
IN  
CRIMINAL APPEAL NO. 688 OF 2023**

Krishna @ Bodya Vijay Shelar

.. Applicant

Vs.

The State of Maharashtra

.. Respondent

.....

Mr. Atul P. Kakade for the applicant

Mr. A.R. Kapadnis, APP for the respondent – State

....

**CORAM : PRITHVIRAJ K. CHAVAN, J.**

**DATED : 21<sup>st</sup> JUNE, 2023**

**P.C.**

1. Heard learned Counsel for the applicant.
2. The applicant has been convicted of the offence punishable under Section 353 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for 2 years and to pay fine of Rs.5,000/- and in default of payment of fine to suffer simple imprisonment for 3 months.
3. Learned Counsel submits that the fine amount has already

been deposited and the applicant has already undergone 1 year and 3 months of sentence. He submits that he has a fair chance in succeeding in the appeal and, therefore, prayed for suspension of sentence, pending the appeal.

4. Having considered the nature of the offence as well as the quantum of punishment, the execution of the sentence passed in Sessions Case No. 693 of 2019 is suspended, pending the appeal.

5. The applicant shall be released on furnishing a PR bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the Registrar (Judicial-I).

6. The application is disposed of.

**(PRITHVIRAJ K. CHAVAN, J.)**