

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 2070 OF 2023****IN****CRIMINAL APPEAL NO. 648 OF 2023**

Prasad Ashok Shedge

...Applicant/Appellant

Versus

State Of Maharashtra

...Respondent

....

Mr. Abhishek Kulkarni Advocate for Applicant/Appellant.

Mr. Y. Y. Dabake, APP for the Respondent – State.

....

CORAM : PRAKASH D.NAIK, J.**DATE : 14th JUNE, 2023.****P.C.:-**

1. This is an application for suspension of sentence and grant of bail during the pendency of Criminal Appeal preferred by the applicant challenging the judgment of conviction.
2. The applicant has been convicted vide judgment and order dated 28th April 2023 passed by learned Additional Sessions Judge, Pune in Sessions Case No. 1006 of 2016 for an offence punishable under Sections 394, 397 read with 34 of the Indian Penal Code. The applicant is sentenced to suffer imprisonment for one year. Initially the applicant was in jail from 16th December 2015 to 29th March 2016 and 7th June 2019 to 29th June 2019.

3. Learned Advocate for the applicant on instructions submitted that, the substantive sentence of imprisonment was suspended by the trial Court for temporary period on the date of conviction.

4. Considering the fact that, the sentence is of short term and the applicant was on bail during the trial, case for suspension of sentence and grant of bail is made out.

ORDER

(i) Interim Application No.2070 of 2023 is allowed.

(ii) The substantive sentence of imprisonment imposed vide judgment and order dated 28th April 2023 passed by learned Additional Sessions Judge, Pune in Sessions Case No. 1006 of 2016 is suspended and the applicant is directed to be released on bail on the same bail in the trial Court with fresh bail bond.

(iii) Interim Application stands disposed off.

(PRAKASH D. NAIK, J.)