

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

**INTERIM APPLICATION NO. 4241 OF 2023
IN
CRIMINAL REVISION APPLICATION NO. 381 OF 2023**

Vishal @ Rupesh Pandhurang Gawli ... Applicant
Versus
State of Maharashtra ... Respondent

.....
Mr. Rupesh A. Zade, for the Applicant.
None for the Respondent-State.
.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 10th NOVEMBER, 2023.

P.C.

Learned Counsel for the applicant seeks to amend the cause title to add the concerned police station as party respondent. Amendment shall be carried out forthwith.

2 Heard learned Counsel Mr. Zade for the applicant.

3 The applicant has been convicted by the Metropolitan Magistrate, 34th Court, Vikhroli, Bombay on 23rd January, 2020 of an offence punishable under Section 354 of the Indian Penal Code

and has been sentenced to suffer rigorous imprisonment of one year alongwith fine of Rs.1,000/-, in default he was directed to suffer further rigorous imprisonment for three months.

4 The applicant has challenged the judgment of the Metropolitan Magistrate in the Court of Additional Sessions Judge, Bombay vide Criminal Appeal No. 186 of 2020.

5 Learned Additional Sessions Judge after hearing the respective sides, dismissed the Appeal thereby confirming the judgment of conviction and sentence rendered by the Metropolitan Magistrate against which the applicant has preferred this Revision Application.

6 Mr. Zade, learned Counsel submits that he has a good case on merits. He submits that the applicant is the only bread earner of the family. Ahead of Dipawali, he may be released on bail by suspending the sentence. The applicant will abide the terms and conditions, if any.

7 Despite service, none for the respondent-State.

8 One years rigorous imprisonment has been imposed by the below Courts. However, the learned Counsel has no instructions whether the applicant has deposited the fine amount.

9 Pending the Revision Application, the execution of sentence is suspended upon the applicant furnishing a PR bond in the sum of Rs.15,000/- with one surety in the like amount to the satisfaction of the Additional Sessions Judge, Bombay, upon depositing the fine amount.

10 Deposit of fine amount is a condition precedent for releasing of applicant on bail.

11 The applicant shall attend Nehru Nagar Police Station, Mumbai, once in 15 days i.e. on 15th day of each Month until further orders.

12 Interim application is disposed of.

[PRITHVIRAJ K. CHAVAN, J.]