



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

**INTERIM APPLICATION NO. 464 OF 2024
IN
CRIMINAL APPEAL NO. 106 OF 2024**

Subhash Shridhar Madhav	.. Applicant
VS.	
The State of Maharashtra	..Respondent

Ms. Shalaka Shinde a/w Mr. Atmaram Patade, Mr. Suraj Naik,
Mr. Pranav Manjrekar, Mr. Rohit Rao i/b Mr. Atmaram Patade,
for the applicant.
Mr. S. H. Yadav, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 07, 2024

P.C. :

1. Heard learned counsel for the applicant and learned APP appearing for the State.
2. This is an application for suspension of sentence and for bail.
3. Learned APP opposed the application for suspension of sentence. It is submitted that the trial Court on the basis of the evidence, rendered a finding that the offence against the applicant punishable under section 326 of the Indian Penal Code is proved. The trial Court has convicted the

applicant for the offence punishable under section 326 of IPC and sentenced to undergo rigorous imprisonment of 3 years and fine of Rs. 2000/-. Learned APP submits that the application does not deserve to be allowed and instead the appeal itself be taken up for a final hearing.

4. It is not possible to give priority to this appeal considering the chronology of pending appeals. The appeal is not likely to be heard any time soon. The fine amount has been paid. There is nothing on record to indicate that the applicant has misused the liberty while on bail. According to learned counsel for the applicant, the applicant was in pre-trial custody for 2 months before he was enlarged on bail by the trial Court. I am inclined to allow the application. Hence, the following order.

ORDER

- (i) The application is allowed.
- (ii) The sentence imposed by the trial Court vide judgment and order dated 18/12/2023 in Sessions Case No. 33 of 2017 is accordingly suspended.
- (iii) The applicant is enlarged on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(iv) The applicant shall report to the trial Court once in six months, on the first Monday of the concerned month between 11:00 a.m. and 1:00 p.m. commencing from March 2024.

5. The application is disposed of.

(M. S. KARNIK, J.)