

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1753 OF 2024****IN****CRIMINAL APPEAL NO. 13 OF 2021**

Rajendra Dinkar Karande

... Applicant

V/s.

The State of Maharashtra

... Respondent

Dr. Yug Chaudhry for Applicant.

Dr. Dhanalakshmi S. Krishnaiyer, A.P.P. for Respondent-State.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 2nd May 2024.****P.C. :**

(1) This is an Application for suspension of sentence and releasing the Applicant/Org. Accused No.2 on bail.

(2) Dr. Chaudhry, learned Advocate for the Applicant submitted that, Accused No.1, namely, Vijay Dinkar Karande has been directed to be released on bail by this Court by Order dated 3rd April, 2024. That, the role attributed to the Applicant is the same and/or similar to that attributed to Accused No.1-Vijay Karande and therefore, the Applicant may be released on bail on the ground of parity.

(2.1) Learned A.P.P., after perusing the record fairly conceded to the fact that, the Applicant is entitled to be released on bail on the ground of

parity with the Accused No.1-Vijay Karande.

(3) Perusal of record indicates that, the role attributed to the Applicant is the same and/or similar, rather little lesser than assigned to Accused No.1-Vijay Karande and therefore, the Applicant is entitled to be released on bail during the pendency of the Appeal.

(4) Record indicates that, as of today, the Applicant has undergone 4 years and six months in incarceration. As per the submission of learned Advocate for Applicant, there are no antecedents at the discredit of the Applicant.

(5) In view thereof, during the pendency of the present Appeal, we are inclined to suspend the sentence and release the Applicant on bail on the following terms and conditions :-

(i) Applicant be released on bail in Sessions Case No.79/2018 arising out of C.R.No.18/2018, registered with Ispurli Police Station, Ispurli, Tal. Karveer, District Kolhapur, on his furnishing P.R. bond in the sum of Rs.25,000/- with one or two separate local sureties in the like amount.

(ii) After his release from jail and during the pendency of the Appeal, the Applicant shall attend Ispurli Police Station, Ispurli, Tal. Karveer, District Kolhapur, on every first Monday of the month between 10.00 a.m. and 12.00 noon initially for a period of one year.

After end of one year, the Applicant shall attend Ispurli Police Station, Ispurli, Tal. Karveer, District Kolhapur, on every 1st Monday of every 3rd Month between 10:00 a.m. and 12:00 noon. The Applicant thus shall attend Ispurli Police Station, Ispurli, Tal. Karveer, District Kolhapur, four times in a year during the pendency of the present Appeal.

(iii) In case of two consecutive defaults in complying with the aforesaid conditions, the Prosecution is at liberty to file an Application for cancellation of his bail.

(iv) Applicant shall inform his prospective residential address to the trial Court. The Applicant shall keep informed the trial Court of any change in his residential address and his mobile number, on which he can be contacted.

(v) Applicant shall make himself available at the time of final hearing of the Appeal.

(6) Application is accordingly allowed in the aforesaid terms.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

RAJESH
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CHITTEWAN

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