



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

**INTERIM APPLICATION NO. 4140 OF 2023
IN
REVISION APPLICATION NO. 375 OF 2023**

SAGAR VISHNU PATIL BHANDARE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Satyavrat Joshi i/b Adv. Nitesh Mohite for the
Applicant (through V.C.).

Adv. Megha Bajoria for Respondent No.2 (through V.C.).

Mr. S.H. Yadav, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 8, 2024

P.C. :

1. Heard learned counsel for the applicant, learned
counsel for respondent No.2 and learned APP for the State.

2. The appellate Court by dismissing the appeal preferred
by the present applicant has confirmed the order passed by
the learned Judicial magistrate First Class, Shirala,
convicting the applicant for the offence punishable under
Sections 354 of the Indian Penal Code. The sentence
imposed is one year rigorous imprisonment and a fine

amount. Learned counsel for the applicant states that if the fine amount not paid, the same shall be deposited before his release. Pursuant to the order passed by the appellate Court, the applicant was taken into custody to serve the sentence on 17/10/2023. The applicant has served almost 3½ months of his sentence.

3. With the assistance of the learned counsel, I have perused the impugned judgment and order as well as the materials on record. The application is opposed by the learned APP and learned counsel for respondent No.2. It is submitted that there is no reason to fault the concurrent finding recorded by the trial Court and hence bail be rejected.

4. Considering that the sentence is for 1 year of which the applicant has already served 3½ months, the sentence imposed by the trial Court needs to be suspended. The revision is not likely to be heard finally any time soon. The sentence is accordingly suspended.

5. The applicant is enlarged on bail on his furnishing P.R. Bond of Rs.10,000/- with one or more sureties in the like

amount.

6. The applicant is permitted to furnish cash bail surety in the sum of Rs.10,000/- for a period of 6 weeks in lieu of surety.

7. The applicant shall not make any attempt to contact the victim or threaten or intimidate her.

8. The interim application stands disposed of in the above terms.

(M. S. KARNIK, J.)