



Diksha Rane

33. APEAL 167-24.doc

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

**CRIMINAL APPEAL NO.167/2024
WITH
INTERIM APPLICATION NO.869/2024
IN
CRIMINAL APPEAL NO.167/2024**

KULDEEP KRISHNA BRID
VS.

..APPELLANT

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Aadil Parsurampuriah a/w. Adv. Pragya, Adv. Darshna
Vora i/b. M/s. Legal Vision for the applicant/appellant.
Mr. S. V. Walve, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : MARCH 5, 2024.

P.C. :

CRIMINAL APPEAL NO.167/2024

1. Admit.
2. Call for record and proceeding.
3. Learned APP waives service on behalf of the State.

**INTERIM APPLICATION NO.869/2024 IN CRIMINAL
APPEAL NO.167/2024**

4. This is an application for suspension of sentence and bail.
5. The applicant is convicted by the judgment and order

dated 15/1/2024 for the offence punishable under Section 353 of the Indian Penal Code and is sentenced to suffer rigorous imprisonment for two years and fine of Rs.1000/-. The applicant is also convicted for the offence punishable under Sections 184, 185 of the Motor Vehicle Act and is sentenced to suffer rigorous imprisonment for six months and to pay a fine of Rs.500/-.

6. Learned counsel for the applicant submitted that the fine remain to be deposited inadvertently. He assures that the fine amount will be paid within a period of one week from today. The statement is accepted.

7. This application is opposed by learned APP for the State. It is submitted that for the cogent reasons the trial Court has convicted the applicant. It is submitted that there is ample evidence on record which demonstrates that the applicant has committed the alleged offence under the influence of liquor. In a drunk condition the applicant purposely dashed the traffic constable instead of obeying his directions.

8. For the offence punishable under Sections 353 of the Indian Penal Code the maximum punishment imposed on

the applicant is rigorous imprisonment for two years and fine. I have perused the judgment and order of the conviction passed by the trial Court. While on bail before the trial Court, there is nothing on record to indicate that the applicant has misused the liberty. Considering the short sentence and as the appeal which has been admitted, is not likely to be heard soon, the sentence imposed by the trial Court is suspended. The applicant be enlarged on same bail as before the trial Court but with fresh bonds.

9. The applicant shall report to the trial Court once in a year, on first Monday of the concerned month, between 11.00 a.m. to 1.00 p.m., commencing April, 2024.

10. The application is disposed of.

(M. S. KARNIK, J.)