

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

**INTERIM APPLICATION NO. 870 OF 2024
IN
CRIMINAL APPEAL NO.1174 OF 2019**

Vijay Vishnu Kambli

.. Applicant

v/s.

The State Of Maharashtra

.. Respondent

Mr. Ganesh Bhujbal Appointed Advocate for the Applicant.
Mr. Ajay Patil, APP for the Respondent-State.

**CORAM : A. S. GADKARI &
SHYAM C. CHANDAK, JJ.
DATE : 8th MARCH, 2024.**

PC. :

**JYOTI
RAJESH
MANE**

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- 1) This is an application for suspension of sentence and releasing the Applicant on bail.
- 2) The Applicant is convicted under Section 302 of I.P.C. by the learned Additional Sessions Judge, Mumbai in Sessions Case No.154/2013, and is sentenced to suffer imprisonment for life.
- 3) It is an admitted fact on record that since the day of his arrest i.e. 15th May 2013 the Applicant is behind the bars and as of today has undergone more than 10 years and 10 months in incarceration.
- 4) In view of the Guidelines issued by the Hon'ble Supreme Court in the case of Saudan Singh Vs. The State of Uttar Pradesh in Criminal Appeal No.308 of 2022 [@ SLP (Cri.)No.4633 of 2021] dated 25th March

2022 and the view expressed in cases of (i) Suleman Vs. The State of Uttar Pradesh, Criminal Appeal No. 491 of 2022 (Arising out of SLP (Crl) No. 1451 of 2022) dated 25th March 2022 and (ii) Dinesh @ Paul Daniel Khajekar Vs. State of Maharashtra & Anr., Criminal Appeal No. 2987 of 2023 (Arising out of S.L.P. (Crl.) No. 10320 of 2023) dated 25th September 2023, the Applicant is entitled to be released on bail during the pendency of Appeal.

4.1) Hence, the following Order.

- (i) Applicant shall be released on bail in C.R. No. 147 of 2013 dated 14th May 2013 registered with MHB Colony Police Station, Mumbai, on his furnishing PR. bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- (ii) After his release from Jail and during the pendency of the present Appeal, the Applicant shall attend MHB Colony Police Station, Mumbai on every first Monday of the month between 10:00 am and 12:00 noon initially for a period of one year.

After end of one year, the Applicant shall attend MHB Colony Police Station, Mumbai on every first Monday of the every 3rd Month between 10:00 am and 12:00 noon. The Applicant thus shall attend MHB Colony Police Station, Mumbai, four times in a year during the pendency of the present Appeal.”

- (iii) In case of two consecutive defaults in complying with the aforestated conditions, the Prosecution is at liberty

to file an application for cancellation of bail.

- (iv) Applicant shall inform his prospective residential address to the trial Court. Applicant shall keep informed the trial Court 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.

5) Interim Application is allowed in the aforesaid terms.

(SHYAM C. CHANDAK, J.)

(A. S. GADKARI, J.)