

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

**INTERIM APPLICATION NO. 1071 OF 2024
IN
CRIMINAL APPEAL NO. 427 OF 2023**

1. Amol Dattu Shegde	
2. Suraj Maruti Phadake	
3. Vinod @ Vicky Vishwas Patil	 Applicants
v/s.	
The State of Maharashtra	 Respondent

Mr. Sachin Deokar for the Applicants in IA/1071/2024.
Mr. Rupesh Zade a/w. Ms. Priyanka Gupta for the Appellant in APEAL/1328/2023.
Mr. Konde Deshmukh for the Appellant in APEAL/1186/2023.
Mr. Tejas Kothalikar i/b. Mr. Bhomesh Bellam for the Appellant in APEAL/855/2023.
Mr. Satyajeet Mane i/b. Mr. Amit Icham in IA/1915/2023.
Mr. J.P. Yagnik, APP for the State.

**CORAM: A.S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATED : 21st MARCH, 2024.

P. C. :-

- 1) Applicants-original accused nos.6, 7 and 9 in Sessions Case No.853 of 2013, decided by the learned Additional Sessions Judge, Pune, by its impugned Judgment and Order dated 12th January 2023, convicting them under Section 302 of IPC and sentenced to suffer life imprisonment, have filed present Application for suspension of their sentence and enlargement on bail.
- 2) It is an admitted fact on record that, since the date of their arrest i.e., since the month of July, 2013, the Applicants are behind bars

and as of today, have undergone about 10 years and 08 months in incarceration.

3) 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 (Crl.) No. 4633 of 2021]*, dated 25th February 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, we are inclined to suspend the substantive sentence imposed upon the Applicants and release them on bail.

3.1) Hence, the following Order :-

(i) Applicants shall be released on bail in Sessions Case No.853 of 2013 arising out of C.R.No.298 of 2013 registered with Hadapsar Police Station, Pune on their furnishing P.R. bond in the sum of Rs.25,000/- each with one or two separate solvent local sureties in the like amount.

(ii) After their release from jail and during the pendency of the present Appeal, the Applicants shall attend Hadapsar Police Station, Pune 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 Applicants shall attend Hadapsar Police Station, Pune on every 1st Monday of every 3rd Month between 10:00 a.m. and 12:00 noon. The Applicants thus shall attend Hadapsar Police Station, Pune 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) Applicants shall inform their prospective residential address to the trial Court. The Applicants shall keep informed the trial Court of any change in their residential address and their mobile number, on which they can be contacted.

(v) Applicants shall make themselves available at the time of final hearing of the Appeal.

4) Interim Application is allowed in the aforesaid terms.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

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