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

**INTERIM APPLICATION NO.1554 OF 2024
IN
CRIMINAL APPEAL NO.389 OF 2024**

1. SAMBHAJI SHIVAJI BHOSALE
2. MAMATA SAMBHAJI BHOSALE
3. SHAILA NASHI PAWAR ..APPLICANTS
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Akash Kavade i/b. Adv. Abdul Quadir Auti for the
applicants.
Smt. Megha S. Bajoria, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : APRIL 15, 2024.

P.C. :

1. This is an application for suspension of sentence and bail.
2. The applicants are convicted for the offence punishable under Section 395 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for two years and pay fine of Rs.1,000/-. If the fine amount has not been paid learned counsel for the applicants on instructions submits that the fine amount will be paid within a period of two weeks from today.

3. Learned APP opposed the application for suspension of sentence and bail.

4. The applicants were on bail during the trial. There is nothing on record to indicate that the applicants have misused their liberty while on bail. The accused No.1 was in custody for the period from 24.08.2022 to 26.12.2022. The applicant Nos.2 and 3 were in custody for the period from 24.08.2022 to 31.12.2022. The conviction is two years of rigorous imprisonment. Considering the short sentence and as the appeal is not likely to be heard any time soon in near future, I am inclined to suspend the sentence and enlarge the applicants on bail.

5. The sentence imposed by the trial Court is suspended and the applicants be enlarged on same bail as before the trial Court but with fresh P. R. bonds.

6. The applicants shall report to the trial Court once in a year, i.e. first Monday of the concerned month, between 11:00 a.m. and 1:00 p.m. commencing May 2024.

7. The fine amount, if not paid, shall be paid within a period of two weeks from today.

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8. The interim application is disposed of.

(M. S. KARNIK, J.)