

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2004 OF 2023

IN

CRIMINAL APPEAL NO.992 OF 2017

Kartik Arjun Soni

.. Applicant

vs.

State of Maharashtra

.. Respondent

Mr. Payoshi Roy i/b Dr. Yug Mohit Chaudhry for the Applicant.

Mr. J. P. Yagnik APP for the Respondent-State.

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

DATE : 17th JANUARY, 2024.

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P. C.:-

- 1) This is an Application for suspension of sentence and releasing the Applicant on bail.
- 2) It is an admitted fact on record that, since the date of his arrest i.e. 8th May, 2013 the Applicant is in incarceration. As of today the Applicant has undergone approximately 10 years and 9 months in incarceration.
- 3) In view of present assignment of this Court the possibility of taking up the Appeal of the Applicant for final hearing in near future is

remote. After applying the views expressed by the Hon'ble Supreme Court in case of *Suleman Vs. State of Uttar Pradesh* in *Criminal Appeal No.491 of 2022* dated 25th March, 2022 and in case of *Dinesh @ Paul Daniel Khajekar Vs. State of Maharashtra and Anr.* in *Criminal Appeal No.2987 of 2023* dated 25th September, 2023, the Applicant is entitled to be released on bail during pendency of present Appeal.

3.1) Hence, the following order :

- (i) Applicant be released on bail in Sessions Case No.972 of 2013 arising out of C.R. No.155 of 2013 of Sion Police Station on his furnishing P.R. bond of Rs.25,000/- with one or more local sureties in the like amount.
- (ii) After his release from jail and during pendency of the Appeal, Applicant shall attend Sion Police Station, Mumbai on every first Monday of the month between 10.00 am and 12 noon, initially for a period of one year and thereafter on every first Monday of every third calendar month i.e. four times in a year between 10.00 am and 12 noon.
- (iii) 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.
- (iv) Applicant shall make himself available at the final hearing of the Appeal.

- (v) Application is allowed in the aforesaid terms.
- (vi) All concerned to act on an authenticated copy of this order.

(SHYAM C. CHANDAK,J.)

(A. S. GADKARI, J.)