

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

**INTERIM APPLICATION NO.2628 OF 2023  
IN  
CRIMINAL APPEAL NO.217 OF 2017**

Dinesh Balaram Pawar .. Applicant

vs.

The State of Maharashtra .. Respondent

Dr. Yug Mohit Chaudhary with Anush Shetty for the Applicant.

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

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

**DATE : 9<sup>th</sup> JANUARY, 2024**

HEMANT  
CHANDERSEN  
SHIV  
Digitally  
signed by  
HEMANT  
CHANDERSEN  
SHIV  
Date:  
2024.01.15  
15:54:13  
+0530

**P. C.:-**

1) This is a successive Application for suspension of sentence and releasing the Applicant on bail. Record indicates that, the earlier application i.e. Criminal Application No.295 of 2017 preferred by the Applicant along with co-accused was rejected by this Court by an Order dated 13<sup>th</sup> July, 2017.

By the said Order, the hearing of Appeal was expedited.

2) It is a matter of fact on record that the Applicant has undergone incarceration for a period of more than 10 years and 5 months. In view of the assignment of this Court, the possibility of hearing of the substantive

Appeal preferred by the Applicant in near future is bleak and on this ground alone the Applicant deserves to be released on bail during the pendency of the Appeal.

3) Dr. Chaudhary, learned Counsel appearing for the Applicant submitted, on instructions, that there are no antecedents against the Applicant.

4) In view of above, we are of the opinion that, during pendency of present Appeal, substantive sentence imposed upon the Applicant is suspended and the Applicant is released on bail on the following terms and conditions :-

i) Applicant be released on bail in Sessions Case No.565 of 2013 arising out of Crime No.T-167/2013 registered with Shil-Dayghar Police Station, District Thane on his furnishing P.R. bond of Rs.50,000/- with one or more solvent local sureties to make up the amount.

ii) The procedure of furnishing bail bond and sureties be completed before the trial Court.

iii) After his release from jail, the Applicant shall attend Shil-Dayghar Police Station, Thane on every first Monday of the month between 10.00 am and 12.00 noon initially for a period of one year and, thereafter on every first Monday of every 3<sup>rd</sup> calendar month between 10.00 am and 12.00 noon till

the disposal of the Appeal.

iv) Applicant shall make 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.)