

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3662 OF 2023****IN****CRIMINAL APPEAL NO. 717 OF 2017**

Raju Peter Layal

.....Applicant

Vs.

State of Maharashtra

.....Respondent

Adv. Satyavrat Joshi for the Applicant.

Mr. S.V. Gavand APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 10th JANUARY, 2024.****PC.:-**

- 1) Leave to amend to correct prayer clause (a). Amendment be carried out forthwith.
- 2) This is third Application for suspension of sentence and releasing the Applicant on bail.
- 3) By an Order dated 7th February, 2023, the Second Application for Bail bearing No.3358 of 2022 preferred by the Applicant along with co-accused Dinesh @ Paul Daniel Khajekar was dismissed by this Court.

4) The said Order dated 7th February, 2023 passed in Interim Application No.3358 of 2022 was challenged before the Hon'ble Supreme Court by the co-accused Dinesh @ Paul Daniel Khajekar. The Hon'ble Supreme Court by its Order dated 25th September, 2023 passed in Criminal Appeal No.2987 of 2023 arising out of S.L.P. (Crl.) No.10320 of 2023, after taking into consideration the fact that the Appellant therein has undergone incarceration for a period of more than 11 years, was pleased to enlarge him on bail pending the final disposal of present Appeal.

5) The Applicant is not only similarly situated but is also entitled to have a parity with the co-accused Dinesh @ Paul Daniel Khajekar who has been directed to be released on bail by Order dated 25th September, 2023 passed by the Hon'ble Supreme Court.

6) Hence, during the pendency of present Appeal, the substantive sentence imposed upon the Applicant herein is suspended and the Applicant is directed to be released on bail in view of the directions issued by the Hon'ble Supreme Court in the case of co-accused Dinesh @ Paul Daniel Khajekar. For releasing Applicant on bail the terms and conditions made applicable to Dinesh @ Paul Daniel Khajekar are *mutatis mutandis* made applicable to the Applicant herein.

7) For that purpose, the Applicant Raju Peter Layal shall be produced before the trial Court for completing the bail formalities within a period of one week from the date of uploading of the Order on the official

website of Bombay High Court.

7.1) The trial Court shall enlarge the Applicant on bail on appropriate terms and conditions pending the final disposal of present Appeal.

8) Application is allowed in aforesaid terms.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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by SANJIV
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