



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

**INTERIM APPLICATION NO. 4045 OF 2023
IN
APPEAL NO. 1211 OF 2023**

Prasanna Ravindra Kadu

..Applicant

VS.

State of Maharashtra

...Respondent

Adv. Gaurav Parkar for the Applicant.

Ms. S. D. Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 31, 2024

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for suspension of sentence and for enlarging the applicant/original accused on bail.
- 3.** Notes of evidence are placed on record. With the assistance of learned counsel, I have perused the notes of evidence and the judgment and order of the trial Court.
- 4.** The applicant was tried and convicted by the Sessions Court, Alibag, Raigad, by its judgment and order dated

04/09/2023 passed in Sessions Case No. 68 of 2015 for the offence punishable under Section 304 Part II of the Indian Penal Code and sentenced to suffer rigorous imprisonment for three years and to pay a fine amount of Rs.20,000/- in default of payment of fine, to suffer further rigorous imprisonment for three months. The fine amount has been paid. The appeal is not likely to be heard any time soon. The applicant was on bail during the trial.

5. Learned APP requests to hear this appeal finally. However, considering the pendency of the old matters, it is not possible to give priority to hearing of this appeal.

6. There is nothing on record to indicate that the applicant has misused his liberty while on bail. Considering that the appeal is not likely to be heard any time soon and the length of the sentence, I am inclined to suspend the sentence.

7. The sentence imposed by judgment and order dated 04/09/2023 in Sessions Case No. 68 of 2015 is hereby suspended.

- 8.** The applicant shall be released on bail on his furnishing P.R. bond to the extent of Rs.25,000/-with one or more sureties of the like amount.
- 9.** The applicant shall report to the trial Court once in six months, every first Monday of the concerned month, between 11.00 a.m. and 01.00 p.m., commencing March 2024.
- 10.** The application stands disposed of in the above terms.

(M. S. KARNIK, J.)