

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1441 OF 2024****IN****CRIMINAL APPEAL NO. 48 OF 2020**

Babu Shravan Khare

... Applicant/Appellant

V/s.

The State of Maharashtra

... Respondent

Ms. Savvy Kolhekar i/b. Mr. Aniket Vagal for Applicant/Appellant.

Mr. A.I. Satpute, A.P.P. for Respondent-State.

A.P.I. Mr. Ram Surwase, Navghar Police Station, present.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.****DATE : 2nd July 2024.****P.C. :**

1) This is a consecutive Application for suspension of sentence and releasing the Applicant on bail.

2) It is an admitted fact on record that, the Applicant (original accused No.1) was arrested on 13th April 2014 and since then he is in incarceration. The Applicant as of today has undergone more than 10 years and 2 months of actual imprisonment.

3) In view of the Guidelines issued by the Hon'ble Supreme Court in the case of *Saudan Singh Vs. State of Uttar Pradesh, 2022 SCC OnLine SC 697* and the view expressed in cases of (i) *Suleman Vs. The State of Uttar*

Pradesh, 2022 SCC OnLine SC 714 and (ii) Dinesh @ Paul Daniel Khajekar Vs. State of Maharashtra & Anr., Criminal Appeal No. 2987 of 2023 (Arising out of S.L.P. (Crl.) No. 10320 of 2023) dated 25th September 2023, the Applicant is entitled to be released on bail during the pendency of Appeal.

4) Hence, the following Order.

(i) Applicant shall be released on bail in Sessions Case No. 457 of 2014, arising out of CR No. I-123 of 2014 registered with Navghar Police Station, Thane R., on his furnishing P.R. bond of Rs.25,000/- with one or two local sureties in the like amount.

(ii) After his release from Jail and during the pendency of the present Appeal, the Applicant shall attend Navghar Police Station on every first Monday of the month between 10:00 am and 12:00 noon initially for a period of one year.

After end of one year, the Applicant shall attend Navghar Police Station on every first Monday of the every 3rd Month between 10:00 am and 12:00 noon. The Applicant thus shall attend Navghar Police Station four times in a year during the pendency of the present Appeal.

(iii) In case of two consecutive defaults in complying with the aforestated conditions, the Prosecution is at liberty to file an application for cancellation of bail.

(iv) 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.

(v) Applicant shall make himself available at the time of final hearing of the Appeal.

5) Interim Application is allowed in the aforesaid terms.

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

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