

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 5106 OF 2024

IN

CRIMINAL APPEAL NO. 1296 OF 2024

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Vikas Prakash Kadam

... Applicant

Versus

State of Maharashtra

... Respondent

.....

Mr. Nikhil G. Hire, Advocate for the Applicant.

Mr. Swapnil V. Walve, APP for Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATED : 17th DECEMBER, 2024.

P.C. :

1. By this application, applicant is seeking suspension of sentence.
2. It is contention of learned counsel for the applicant that applicant has been convicted under Section 498-A of Indian Penal Code, 1860 and sentenced to suffer rigorous imprisonment for three years and to pay a fine of Rs.10,000/- in default of payment of fine, he shall undergo simple imprisonment for three months. Learned counsel further submitted that the trial Court has suspended the sentence till appeal period hence requested to allow the application.
3. Learned APP strongly objected to allow the application.
4. I have heard both the learned Counsel. The sentence imposed on the applicant is short term sentence. During the trial he was on bail.

He has not misused his liberty. It may take time to dispose of the appeal.

Considering these facts, I pass following order:

ORDER

- (i) The substantive sentence imposed on the applicant in Sessions Case No. 81 of 2022 is hereby suspended pending disposal of the appeal, subject to the applicant furnishing a PR bond in the sum of **Rs.20,000/-** with one or two sureties in the like amount.
- (ii) The bail bonds to be furnished before the learned Sessions Judge.
- (iii) The Criminal Application is disposed of.

5. All parties to act on an authenticated copy of this order.

(SHIVKUMAR DIGE, J.)