

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 345 OF 2025
IN
CRIMINAL APPEAL NO.69 OF 2025

Aarti Vijaysinha Deshmukh and Ors.	]	Applicants
Versus		
The State of Maharashtra	]	Respondent

.....
Mr. Chaitanya Pendse i/b Mr. S.V. Deshmukh and Mr. Aaditya
Sharma, for the Applicants.

Mr. S. H. Yadav, APP, for Respondent-State.

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 12th FEBRUARY, 2025.

P.C.

Heard.

2 This is an application seeking suspension of execution of sentence awarded by the learned Additional Sessions Judge, Solapur of the offences punishable under Sections 406 of the Indian Penal Code (“I.P.C.”) and section 3 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999(“MPID”). The sentence awarded was six months along with fine of Rs.5,000/- and Rs.30,000/- each respectively.

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3 After pronouncement of judgment of conviction and sentence, the learned Additional Sessions Judge was pleased to suspend the execution of sentence pending the hearing of the appeal by this Court.

4 I heard learned Counsel Mr. Pendse for the applicant and Mr. Yadav, learned APP.

5 At the outset, Mr. Pendse would argue that since the appeal may not be heard in near future and in light of the fact that the substantive sentence is only for six months and fine has already have been paid, the suspension of execution of sentence needs to be continued till the appeal is heard finally.

6 Mr. Yadav, learned APP is ad-idem with the learned Counsel Mr. Pendse.

7 As such, the order dated 6th December, 2024 passed by the learned Additional Sessions Judge, Solapur, under Section 389(3)(i) of the Criminal Procedure Code will continue to operate till disposal of the appeal upon the applicants-appellants executing fresh bonds before the Court below in the same amount.

8 The application is disposed of.

[PRITHVIRAJ K. CHAVAN, J.]