

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
INTERIM APPLICATION NO. 369 OF 2025
IN
CRIMINAL APPEAL NO. 76 OF 2025

Arun Sukhdev Ashtul

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Hrishikesh K. Chavan, for the Applicant.

Mr. Sameer M. Mangaonkar, APP, for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 18th MARCH, 2025.

P.C. :

1. This is an application for suspension of sentence and bail.
2. Heard learned counsel for the Applicant and learned APP for the State.
3. The Applicant has been convicted by the learned Sessions Judge, Solapur for the offence punishable under Section 353 of the Indian Penal Code vide Section 235(2) of the Code of Criminal Procedure and sentenced to undergo rigorous imprisonment for two

months and pay fine of Rs.1000/-. The Applicant has been convicted for the offence punishable under Section 323 of the Indian Penal Code vide Section 235(2) of the Code of Criminal Procedure and sentenced to undergo rigorous imprisonment for fifteen days and pay fine of Rs.500/-. The learned Sessions Judge, Solapur has suspended the sentence during the appeal period and has granted interim bail to the Applicant.

4. It is contention of learned counsel for the Applicant that the trial Court has granted bail and suspended his sentence during the appeal period. During the trial, the Applicant was on bail. Hence, requested to allow the application.

5. The learned APP for the Respondent – State strongly objected to allow the application.

6. I have heard both learned counsel.

7. The sentence imposed on the Applicant is short term sentence. The trial Court has granted bail to the Applicant and suspended his sentence during the appeal period. During the trial, the Applicant was on bail. It may take time to dispose of the appeal.

8. In view of the above, the Applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of

the appeal, on the following terms and conditions.

ORDER

- i. The substantive sentence imposed on the Applicant in Sessions Case No.291 2022, in terms of order dated 5th December, 2024 passed by the learned Sessions Judge, Solapur, till final disposal of the appeal.
 - ii. The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.
 - iii. The bail bond to be furnished before the trial Court.
 - . Criminal Interim Application stands disposed of.
9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)