

Party Name : SANTOSH CH. SHIL Vs THE STATE OF TRIPURA

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THE HONBLE MR. JUSTICE S.TALAPATRA

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Heard Mr. R. Datta, learned counsel appearing for the petitioner as well as Mr. A. Ghosh, learned PP appearing for the State-respondent.

This is a petition under Section 397(1) of the Cr.P.C. for suspending the sentence passed by the Judicial Magistrate, 1st Class, Belonia, South Tripura in PRC No.389 of 2011 which has been affirmed and upheld by the judgment and order dated 04.03.2015 delivered in Crl. Appeal No.11 of 2014 by the Sessions Judge, South Tripura, Belonia under Section 304-A of the IPC. It is to be noted here that the petitioner has been sentenced to suffer RI for 6 months with fine of Rs.1,000/-, in default to suffer SI for one month for the offence punishable under Section 304-A of the IPC.

Having regard to the principle as laid down in Section 389(3) of the Cr.P.C., this Court is of the considered opinion that the sentence may be suspended till disposal of the connected Criminal Revision Petition. Accordingly, it is so suspended.

The petitioner may be allowed to go on bail on furnishing a bail bond of Rs.10,000/- (Rupees ten thousand) supported by one surety of the like amount to the satisfaction of the Trial Court. Along with the bail bond, the petitioner shall also furnish an undertaking to the effect that whenever his presence would be required he shall make himself available before this Court or any other court after termination of this proceeding.

Accordingly, this petition stands allowed and disposed of.