

Party Name : KAJAL KR SARKAR Vs STATE OF TRIPURA

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THE HONBLE MR. JUSTICE S.TALAPATRA

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Heard Mr. P. Saha, learned counsel appearing for the petitioner as well as Mr. A. Ghosh, learned P.P. for the State.

This is a petition under Section 397(1) of the Cr.P.C. for suspending the sentence passed by the Judicial Magistrate First Class, No.5, Agartala, West Tripura directing the petitioner to suffer 3(three) months rigorous imprisonment and to pay a fine of Rs.1,000/- (Rupees one thousand) under Section 7(1) (a) (ii) of the Essential Commodities Act, 1955.

Being aggrieved, the finding of conviction had been challenged by the petitioner herein by filing an appeal being Criminal Appeal No.54 of 2014 in the court of the Sessions. The Sessions Judge, West Tripura, Agartala has affirmed the finding of conviction as well as the order of the sentence as passed by the trial court by the order dated 11.08.2014.

Having regard to the principles as enunciated in sub Section 3 of Section 389 of the Cr.P.C., this Court is of the considered opinion that the sentence of the petitioner may be suspended till disposal of the connected criminal revision petition being CRL. REV. P. No.22 of 2015.

In the meanwhile, the petitioner shall remain on bail on his furnishing of the bail the bond of Rs.10,000/- (Rupees Ten thousand) supported by 1(one) surety of the like amount to the satisfaction of the trial court, the court of the Judicial Magistrate First Class, No.5, Agartala, West Tripura

Accordingly, this petition stands allowed and disposed of.