

Party Name : RABINDRA DAS Vs THE STATE OF TRIPURA

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THE HONBLE MR. JUSTICE S.TALAPATRA

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Heard Mr. P. Majumder, learned counsel appearing for the appellant-applicant as well as Mr. R.C. Debnath, learned Addl. P.P appearing for the State.

This is a petition for suspending the sentence as awarded by the impugned judgment and order dated 18.04.2015 delivered in Criminal Appeal No.04 of 2007 by the Addl. Sessions Judge, Unakoti Judicial District, Kamalpur. Such petition ought to have been filed under Section 397(1) of the Cr.P.C. Citation of wrong provision has been ignored for obvious reason. The appellant-applicant has been sentenced to suffer rigorous imprisonment for one year with a fine of Rs.10,000/-, in default in payment of fine to suffer further rigorous imprisonment for 4(four) months, for committing the offence punishable under Section 325 of the I.P.C. The appellant-applicant has been sentenced to pay a fine of Rs.1,000/- for the offence punishable under Section 323 of the I.P.C. The fine amount of Rs.1,000/- has already been paid by the appellant-applicant.

Having regard to the provisions of sub Section 3 of Section 389 of the Cr.P.C., it is directed that the sentence of the appellant-applicant may be suspended till disposal of the connected revision petition and accordingly, it is ordered.

The appellant-petitioner may remain on bail on furnishing a bail bond of Rs.10,000/- (Rupees Ten thousand) supported by 1(one) surety of the like amount to the satisfaction of the trial court.

Having held thus, this petition stands allowed and disposed of.