

Party Name : SAPTAM SARKAR 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 petitioner as well as Mr. R.C. Debnath, learned Addl. Public Prosecutor appearing for the state.

This is a petition under Section 397(1) of the Cr.P.C. for suspending the sentence as affirmed by the impugned judgment and order dated 20.02.2015 by the Sessions Judge, West Tripura, Agartala in Criminal Appeal No.31/2014, from the judgment of conviction dated 20.03.2014 delivered in G.R. No.03/2008 by the Judicial Magistrate 1st Class, Court No.4, Agartala, West Tripura. The petitioner has been sentenced to suffer rigorous imprisonment for six months and to pay a fine of `2,000 with default sentence to suffer simple imprisonment for twenty days.

Having regard to the principles as laid down in section 389(3) of the Cr.P.C., this court is of the considered opinion that such sentence is liable to be suspended till disposal of the connected revision petition.

Accordingly, it is ordered.

The petitioner shall be allowed to remain on bail till disposal of the connected criminal revision petition on his furnishing a bail bond of `10,000 (rupees ten thousand) supported by one surety of the like amount to the satisfaction of the Judicial Magistrate 1st Class, Court No.4, Agartala, West Tripura.

Accordingly, this petition stands allowed and disposed of.