

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL REVISION APPLICATION NO. 107 OF 2015
WITH APPLN/3260/2015 IN REVN/107/2015

RAMESWAR APPASAHEB SHELKE
 VERSUS
 THE STATE OF MAHARASHTRA

...
 Advocate for Applicant : Kale Abhijit B.
 APP for Respondent State: Mr. R. K. Ladda

...
CORAM : T. V. NALAWADE
DATE : 13th July, 2015

PER COURT :

It appears that the trial court has convicted and sentenced the petitioner for offence punishable under sections 279, 338 of the Indian Penal Code and Section 3(1) read with 181 of the Motor Vehicles Act. Sentence of imprisonment for three months is given and appeal is dismissed by the Sessions Court. It appears that even after dismissal of appeal, the petitioner has not surrendered the bail bond. There is no power with the Sessions Court to suspend the substantive sentence after dismissal of appeal. In view of the circumstance, the sentence cannot be suspended. The applicant needs to surrender first and then come to this Court seeking suspension of stay to the execution of the order. Criminal Revision Application is disposed of. Liberty to move before this Court only if the petitioner surrenders to the bail bond.

(T. V. NALAWADE, J.)

JPC