

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL REVISION APPLICATION NO. 137 OF 2015
WITH
CRIMINAL APPLICATION NO. 4456 OF 2015**

Rameshwar Appasaheb Shelke ...Applicant

versus

The State of Maharashtra ...Respondent

.....
Mr. Abhijit B. Kale, Advocate for applicant
Mrs. B.B. Gunjal, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 19th AUGUST, 2015

ORAL ORDER :

Heard.

2. **Admit.** Learned A.P.P. waives service of notice for respondent.

3. The applicant stood convicted by the learned Sessions Judge, Kopargaon. By an order passed by the learned Judicial Magistrate, First Class, Rahata on 30/07/2011 whereby the applicant was convicted for an offence punishable under Sections 279,338 of Indian Penal Code and under Section 3(1), 181 of the Motor Vehicles Act and it was ordered that the applicant shall suffer simple

imprisonment for three months with fine of Rs.1000/- for offence punishable under Section 279 of the Indian Penal Code. The applicant was also convicted for an offence punishable under Section 338 of the Indian Penal Code and shall suffer simple imprisonment for three months with fine of Rs.1000/-, in default of payment of fine to suffer one month simple imprisonment. The applicant/accused was also convicted for the offence punishable under Section 3(1)/181 of the Motor Vehicles Act and to pay fine of RS.1000/- in default to payment of fine shall suffer simple imprisonment for one month.

4. The appeal against the said conviction came to be dismissed on 20/09/2014 by the Sessions Judge, Kopargaon. The revision is already admitted. The applicant claimed that he has paid amount of fine.

5. In view thereof, it will be appropriate to suspend the sentence of the applicant by ordering his release on bail on the same terms as were admissible during the trial and ordered accordingly. Criminal Application stands allowed.

[N.W. SAMBRE, J.]