

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 62 OF 2015

IN

CRIMINAL REVISION APPLICATION NO. 27 OF 2015

SHRI. VIDHYADHAR CHODANKAR,
THROUGH SHRI. RAGHUVIR
HARISHCHANDRE CHODANKAR, J.CUSTODY
IN SADA JAIL.

... Applicant

Versus

STATE, REPRESENTED BY PUBLIC
PROSECUTOR, PANAJI.

... Respondent

Mr. Shivan Dessai, Advocate for the applicant.

Mr. M. Amonkar, Additional Public Prosecutor for the respondent.

Coram:- K. L. WADANE, J.

Date:- 9th March, 2015

P.C.

Mr. Amonkar, learned Additional Public Prosecutor waives service of notice on behalf of the respondent.

2. Heard Mr. Dessai, learned Counsel for the applicant and Mr. Amonkar, learned Additional Public Prosecutor for the respondent.

3. Perused the application and the affidavit. As per record, it is seen that the applicant was prosecuted for the offences punishable under Sections 504, 325, 427, 506(ii) of Indian Penal Code (I.P.C.). After conclusion of the trial, the learned Judicial Magistrate, First Class, Bicholim convicted the accused / applicant for the offences punishable under Sections 325 and 506(ii) of I.P.C. and sentenced him to suffer Imprisonment for four months for the offence punishable under Section 325 of I.P.C. and Rigorous Imprisonment

for one month for the offence punishable under Section 506(ii) of I.P.C. and to pay fine of Rs.5,000/-. Both the sentences were ordered to run concurrently. The applicant has preferred appeal before the Additional Sessions Judge at Panaji, who confirmed the sentences inflicted upon the applicant.

4. During the trial as well as during the pendency of the appeal, the applicant was on bail. In such circumstances, I am of the opinion that the accused/ applicant is entitled for bail. Therefore, the substantive sentence is hereby suspended. The accused / applicant shall be released on bail on furnishing P.R. Bond of Rs.10,000/- with one surety in the like amount subject to deposit of fine amount within one week from today before the Additional Sessions Judge, Mapusa. The applicant shall remain present in the Court at the time of final hearing of the petition.

5. Application stands disposed of.

Parties to act on the authenticated copy of the order.

K. L. WADANE, J.

SMA