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IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 105 OF 2015
IN
CRIMINAL REVISION APPLICATION NO. 112 OF 2015

Mr. Mohan Sahadeo Chavan

... Applicant

Versus

State of Maharashtra

... Respondent

Mr. Indrajeet Joshi for the applicant.

Mr. A.R. Patil, A.P.P. for State.

CORAM : M.L. TAHALIYANI, J.
DATED : MARCH 26, 2015

P.C.

Admit. By consent of parties taken up for final hearing forthwith.

2. Heard learned counsel for the applicant and learned A.P.P. for State.

3. The applicant has been convicted for the offence punishable under section 307 of Indian Penal Code by 3rd Ad Hoc Assistant Sessions Judge, Kolhapur. The appeal preferred against the said order being Criminal Appeal No. 01 of 2005 has been dismissed by the Sessions Judge, Kolhapur. The applicant has approached this court by filing Criminal Revision Application.

The applicant prays for bail during the pendency of the Revision Application.

4. I have gone through the notes of evidence particularly injured and the Medical officer. The injury appears to be of serious nature. However, during the course of hearing of revision application, the court may be required to examine whether there existed intention to cause death or to cause bodily injury which was sufficient to cause death in an ordinary course of the nature. In view thereof, I am of the view that the applicant is entitled to be released on bail.

5. Hence, I pass the following order :

(a) Criminal Application is allowed.

(b) The applicant be released on bail in the sum of Rs.35,000/- with one solvent surety in the like amount or two sureties of Rs.17,500/- each. An option is given to the applicant to deposit cash amount of Rs.35,000/- in lieu of surety of Rs.35,000/-.

(c) The substantive sentence imposed on the applicant shall remain suspended during the pendency of the Revision Application, if he is released on bail. Rule is made absolute in the aforesaid terms.

(JUDGE)