

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.527 OF 2015
IN
CRIMINAL REVISION APPLICATION NO.612 OF 2015**

Dr.Gangadhar Ruprao Metkar
V/s.

..Applicant

The State of Maharashtra

.. Respondent

Mr.Abhijeet Desai a/w Mr.Sandesh Patil i/by Ms.Monica
Kshirsagar for the Applicant.

Mrs.A.A.Mane APP for the Respondent-State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : DECEMBER 22, 2015.

P.C.

1. Not on board. Taken on board.
2. This is an application for seeking suspension of substantive sentences imposed upon the applicant by the Sessions Judge, Thane in Criminal appeal No.35 of 2011 thereby confirming the judgment and order passed by Judicial Magistrate First Class, Thane in Summary Case No.3198 of 2006 where in the applicant is convicted for the offence punishable under section 354 of Indian Penal Code and sentenced to imprisonment for one month and fine of

Rs.5,000/-.

3. The learned counsel for the applicant submits that the applicant was on bail during the trial as well as during pendency of the appeal. That he has not committed breach of any condition imposed upon him. The learned counsel further submits that in fact the applicant happens to be a Medical Practitioner. The prosecution has failed to prove the offence against the present applicant beyond reasonable doubt. That after the dismissal of appeal the applicant is taken into custody on 19th December 2015. The Revision Application has been admitted. In view of this the substantive sentence deserves to be suspended. Hence, order.

ORDER

(i) The application is allowed.

(ii) The substantive sentence imposed upon the applicant is hereby suspended. He be enlarged on bail, on same bail with fresh bond.

(iii) The applicant shall report to the Court of Judicial Magistrate, Thane, once in six months on the date specified by the Court.

(iv) Upon failure to attend any two consecutive dates, the prosecution would be at liberty to file an application seeking cancellation of bail.

(v) The applicant shall furnish his permanent address, change in address, cell phone number etc. at the time of furnishing bail.

(vi) The applicant shall furnish the details of sureties which is furnished by him.

4. Application is allowed in above terms and disposed off.

5. Parties to act an authenticated copy of this order.

(SMT. SADHANA S. JADHAV, J.)