

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (APPR) No. 35 of 2015

in

CRIMINAL REVISION APPLICATION No. 27 of 2015

(Imam s/o Hittu Luluwale Vs. State of Mah. through P.S.O., P.S.
Malegaon, Distt. Washim)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri S. D. Chande, Advocate for the applicant
Shri P. V. Bhoyar, APP for the State/non-applicant

CORAM : P. B. VARALE, J.

DATE : 27-2-2015.

Heard learned counsel for the applicant
and learned APP for the non-applicant.

By the present application, the applicant is
seeking suspension of sentence and grant of bail.

The learned counsel for the applicant
submits that the applicant has raised substantial
grounds in the revision application. He further
submits that the learned Sessions Judge failed to
appreciate the evidence in its proper perspective.
He further submits that the applicant is a young
boy and his only source of earning is labour
work. He further submits that the applicant was

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on bail during the pendency of the trial and has not misused the liberty granted to him.

Considering the fact that the sentence awarded to the applicant is of three months and the same can be safely termed as short sentence. It is not disputed that the applicant has granted bail earlier and has not misused his liberty. Hence, the application is allowed.

The substantive sentence awarded to the applicant by judgment and order passed by the Sessions Judge, Washim dated 19-2-2015 in Criminal Appeal No. 51/2011 stands suspended during the pendency of the revision application. The applicant be released on bail on same terms and conditions as they were before the Sessions Court, Washim with fresh bail bonds.

The application is, accordingly, disposed of.

JUDGE

wasnik

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