

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 345 of 2016**

Smt. Roshni Tiwari @ Rama Tiwari W/o Raju Tiwari Aged About 40 Years R/o Munshi Ismile Ward, Bhathapara, District Balodabazar, Bhathapara Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh Through P.S. - Rajim, District Gariyaband Chhattisgarh.

---- Respondent

 For Applicant:

 Mr. Pawan Keshewani, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****21.04.2016**

1. The Application has been preferred by the Applicant under Section 397 R/w Section 401 of the Cr.P.C. seeking quashment of the order dated 17.3.2016 passed by the Additional Sessions Judge, Gariaband in Criminal Appeal No. 09/2016.
2. The case of the Applicant is that she was accused in Criminal Case No. 792/13 for the offence punishable under Section 420/34 I.P.C. and also under Sections 3 & 5 of the Price Chits and Money Circulation Schemes (Banning) Act, 1978. The Applicant has been convicted for the said offence and sentenced to undergo R.I. for 3 years with fine of Rs. 1000/- for each of the offence.
3. The Applicant has preferred an appeal before the Court below

which is registered as Criminal Appeal No. 09/2016.

4. Learned Counsel for the Applicant submits that the Applicant had also preferred an application for suspension of sentence and grant of bail and the same was refused by the Court below only on the ground that Petitioner has not deposited the fine amount.

5. Learned Counsel for the Applicant further submits that the Applicant is now ready to deposit the fine amount. The Applicant has already been in jail for a substantial period, and only 3 months' time is left for completion of the total jail sentence.

6. Taking into consideration the total facts and circumstances of the case, it is directed that if the Applicant deposits the fine amount, she shall be released on bail.

7. Accordingly, subject to the Applicant depositing the fine amount, the jail sentence imposed upon the Applicant shall remain suspended during the pendency of the Criminal Appeal and she shall be released on bail on her furnishing the receipt of the depositing of the fine amount and a personal bond for the sum of Rs. 25000/- with two sureties in like sum to the satisfaction of the concerned Appellate Court. The Applicant is directed to appear before the Appellate Court on each and every date to be given to her by the Appellate Court till the disposal of the case.

8. With the aforesaid directions the Revision Application stands allowed.

Sd/-

(P. Sam Koshy)
JUDGE