

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

**904 CRIMINAL APPLICATION NO. 428 OF 2016
IN REVN/14/2016**

**CHATRAPAL S/O SHAMRAO MORE
VERSUS
THE STATE OF MAHARASHTRA**

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**Advocate for Applicant : Mr. Deshpande C.R. & Mr. V. P. Raje
APP for the State: Mr. N. B. Patil**

CORAM : V. K. JADHAV, J.

DATE : 20th January, 2016

PER COURT :

1. Heard.

2. The applicant accused is convicted by the Judicial Magistrate, First Class, Shahada by order dated 13.04.2010 in STCC No. 481/1998 for the offence punishable under section 354 of the Indian Penal Code and sentenced to undergo R.I. for one year and pay fine of Rs.10,000/-and in default of payment of fine, simple imprisonment for one month. The learned Additional Sessions Judge, Shahada by order dated 06.01.2016 in criminal Appeal No.13/2010, confirmed the said order of conviction and accordingly dismissed the appeal. The applicant has preferred Criminal Revision Application against the said judgment and order of conviction, which

revision is admitted by this Court.

3. Learned counsel submits that during the course of trial and even during the pendency of the criminal appeal, the applicant was on bail. The learned counsel further submits that the applicant/original accused has deposited the fine amount in the trial Court. In view of this, substantive part of sentence imposed by learned Magistrate, Shahada in STCC No. 481/1998 and confirmed by the Additional Sessions Judge, Shahada by order dated 06.01.2016 in criminal Appeal No.13/2010 is hereby suspended till disposal of criminal revision application.

4. Meanwhile, the applicant Chatrapal s/o Shamrao More be released on bail on furnishing security of Rs.10,000/- (Rupees Ten thousand only) with one solvent surety of like amount.

5. Criminal application is accordingly disposed of.

(V. K. JADHAV, J.)

JPC