

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

903 CRIMINAL APPLICATION NO. 556 OF 2016

IN

CRIMINAL REVISION APPLICATION NO. 28 OF 2016

MADHUSUDAN S/O LIMBAJI GONDGE

VERSUS

THE STATE OF MAHARASHTRA

...

**Advocates for Applicant : Mr. Talekar S. B. & Mr. Ajinkya
Kale**

APP for Respondent State: Mr. S. N. Kendre

CORAM : V. K. JADHAV, J.

DATE : 27th January, 2016

PER COURT :

1. Heard.

2. The applicant accused is convicted by the Judicial Magistrate, First Class, Jintur by order dated 20.01.2014 in RCC No.175/2006 for the offence punishable under section 408 of the Indian Penal Code and sentenced to undergo R.I. for six months and pay fine of Rs.5000/- and in default of payment of fine, to undergo simple imprisonment for one month. The learned Adhoc Additional Sessions Judge, Parbhani by order dated 22.01.2016 in Criminal Appeal No.34/2014, confirmed the said order of conviction and accordingly dismissed the appeal. Aggrieved by the same, the applicant has preferred Criminal Revision Application, 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 before the trial Court.

4. In view of this, following order is passed:

O R D E R

- i. The order of conviction, passed by the Judicial Magistrate, First Class, Jintur dated 20.01.2014 in RCC No.175/2006 and confirmed by the Adhoc Additional Sessions Judge, Parbhani by order dated 22.01.2016 in Criminal Appeal No.34/2014, is hereby suspended till disposal of the criminal revision application.
- ii. The applicant Madhusudan s/o Limbaji Gondge be released on bail on his furnishing personal bond of Rs.10,000/- (Rupees Ten thousand only) with one solvent surety of like amount.

5. Criminal application is accordingly disposed of.

6. Authenticated copy be supplied.

(V. K. JADHAV, J.)

JPC