

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

**904 CRIMINAL APPLICATION NO. 917 OF 2016
IN REVN/40/2016**

**SUNIL BHIKANRAO GARUD
VERSUS
THE STATE OF MAHARASHTRA**

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**Advocate for Applicant : Mr. Deshmukh Bhausaheb S
APP for Respondent State: Mr. B. A. Shinde**

CORAM : V. K. JADHAV, J.

DATE : 10th February, 2016

PER COURT :

1. Heard.

2. The applicant accused is convicted by the Judicial Magistrate, First Class, Pachora by order dated 20.09.2011 in SCC No.1010/2007 for the offence punishable under section 342 of the Indian Penal Code and sentenced to suffer simple imprisonment for three months and pay fine of Rs.250/- and in default of payment of fine, to undergo simple imprisonment for 7 days. The applicant is also convicted under section 354 of the Indian Penal Code and sentenced to suffer simple imprisonment for three months and pay fine of Rs.250/- and in default of payment of fine, to further suffer simple imprisonment for 7 days. The learned Additional Sessions Judge, Jalgaon by order dated 03.02.2016 in Criminal Appeal No.86/2011, confirmed the said order of conviction and accordingly dismissed the appeal. Aggrieved by the same, the applicant has preferred Criminal Revision Application, which is admitted today by this Court.

3. Learned counsel submits that during the course of trial and even during the pendency of 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, Pachora dated 20.09.2011 in SCC No.1010/2007 and confirmed by the learned Additional Sessions Judge, Jalgaon by order dated 03.02.2016 in Criminal Appeal No.86/2011, is hereby suspended till disposal of the criminal revision application.
- ii. The applicant Sunil Bhikanrao Garud be released on bail on his furnishing personal bond of Rs.10,000/- (Rupees Ten thousand only) with one surety in the like amount. Bail before the trial court.
- iii. Criminal application is accordingly disposed of.

(V. K. JADHAV, J.)

JPC