

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 CRIMINAL APPLICATION NO. 924 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.42 OF 2016

RAJU S/O. APPARAO MUNDHE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Girish K. Thigale(Naik)
APP for Respondent State: Mr. N. B. Patil

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, Parli Vaijnath by order dated 18.01.2013 in RCC No.276/2008 for the offence punishable under section 332 of the Indian Penal Code and sentenced to undergo simple imprisonment for two months and pay fine of Rs.750/-and in default of payment of fine, further simple imprisonment for 15 days. The applicant is also convicted under section 336 of the Indian Penal Code and sentenced to further undergo simple imprisonment for one month and pay fine of Rs.250/-and in default of payment of fine, further simple imprisonment for three days.

3. The learned Additional Sessions Judge, Ambejogai, by order dated 06.01.2016 in Criminal Appeal No.06/2013, confirmed the said order of conviction and accordingly

dismissed the appeal. Aggrieved by the same, the applicant has preferred Criminal Revision Application against the said judgment and order of conviction, which revision is admitted today by this Court.

4. 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.

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

O R D E R

- i. Substantive part of the sentences imposed by learned Judicial Magistrate (F.C.), Parli Vaijnath, by order dated 18.01.2013 in RCC No.276/2008 and confirmed by the Additional Sessions Judge, Ambagogai by order dated 06.02.2016 in Criminal Appeal No.06/2013 is hereby suspended till disposal of the criminal revision application.
- ii. The applicant Raju s/o Apparao Mundhe be released on bail on furnishing personal bond of Rs.5,000/- (Rupees Five thousand only) with one surety of like amount. Bail before the lower court.
- iii. Criminal application is accordingly disposed of.
- iv. Authenticated copy be supplied.

(V. K. JADHAV, J.)

JPC