

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 CRIMINAL APPLICATION NO. 1395 OF 2016
IN
CRIMINAL REVISION APPLICATION NO. 60 OF 2016

DADASAHEB S/O. LAXMAN AGAM
VERSUS
THE STATE OF MAHARASHTRA

.....
Advocate for the Applicant : Mr. Patil Milind M. (Beedkar)
APP for Respondent-State : Mr. N. B. Patil
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CORAM : V. K. JADHAV, J.

DATED : 04th MARCH, 2016

PER COURT :-

1. The applicant-original accused is convicted by the 9th Joint Judicial Magistrate First Class, Beed by order dated 29.08.2012 in R.C.C. No. 422 of 1997 for the offence punishable under Section 365 r/w 34 of IPC and sentenced to suffer R.I. for one year and to pay a fine of Rs.500/-, i/d to suffer S.I. for one month and for the offence punishable under Section 323 r/w 34 of IPC, sentenced to suffer S.I. for one month. The substantive sentences are directed to run concurrently. Learned Additional Sessions Judge, Beed, by order dated 15.02.2016, confirmed the said order and accordingly, dismissed Criminal Appeal No. 72 of 2012.

2. Being aggrieved by the same, the applicant-original accused has preferred Criminal Revision Application before this Court, which is

admitted today.

3. Learned counsel for the applicant-accused submits that during the course of trial and even during pendency of Criminal Appeal, the applicant-accused was on bail. Learned counsel submits that the applicant-accused has also deposited fine amount before the trial court.

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

O R D E R

- I. The Criminal Application is hereby allowed.
- II. The substantive part of the sentence passed by the 9th Joint Judicial Magistrate First Class, Beed dated 29.08.2012 in R.C.C. No. 422 of 1997 and confirmed by the Additional Sessions Judge, Beed by order dated 15.02.2016 in Criminal Appeal No. 72 of 2012, is hereby suspended till the disposal of Criminal Revision Application No. 60 of 2016.
- III. The applicant-original accused Dadasaheb Laxman Agam be released on bail on his furnishing P.R. Bond of Rs.10,000/- (Rupees Ten Thousand only) with one surety in the like amount. Bail before the trial court.
- IV. The Criminal Application is accordingly disposed of.

(V. K. JADHAV, J.)

vre/-