

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 127 OF 2016
IN
REVISION APPLICATION NO. 138 OF 2016

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. Murtuza Najmi i/b B.S. Warwade for applicants.
Mr. Deepak Thakare, APP for State.

CORAM : A.S. GADKARI, J.
DATE : 15th March 2016.

P.C.:

- 1] This is an application for suspension of substantive sentence imposed upon the applicants.
- 2] By its judgment and order dated 17.01.2014 passed in CC No.248/PW/2005 by the Metropolitan Magistrate, 53rd Court, Mulund, Mumbai, convicted the applicants under Section 326 read with 34 of the Indian Penal Code and sentenced them to suffer rigorous imprisonment for 3 years and to pay fine of Rs.3000/- each. In default of payment of fine to further undergo rigorous imprisonment for one month each. The appeal preferred by the applicants bearing No.149 of 2014 has been dismissed by the Appellate Court by its Judgment and Order dated 4th February 2016.

3] The learned Counsel for the applicant submitted that the applicants have already deposited fine amount in the Registry of the Trial Court.

4] As the maximum sentence imposed upon the applicants is of three years, the substantive sentence imposed upon the applicants is hereby suspended. The applicants be released on bail on their furnishing PR bond of Rs.25,000/- each with one or two solvent local sureties in the like amount. During the pendency of the Revision Application, the applicants shall attend the Bhandup Police Station once in three months on every 1st Sunday between 11.00 a.m. to 2.00 p.m.

5] The application is allowed in the aforesaid terms.
as

(A.S. GADKARI, J.)