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FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION No. 334 of 2016
IN
CRIMINAL REVISION APPLICATION NO. 335 OF 2016

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Smt. Malika Ingale for the applicant.
Smt. P.P. Shinde, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.
DATE : 5th July, 2016

P.C.

- 1) This is an application for suspension of sentence and for releasing the applicant on bail.
- 2) The applicant is convicted for the offence punishable under Section 511 and 379 of the Indian Penal Code and sentenced to suffer simple imprisonment for two months and to pay a fine of Rs.1000/-, in default of payment of fine to further undergo simple imprisonment for 15 days by the learned 2nd Joint Judicial Magistrate, First Class, Vasai in R.C.C. No. 420/2001 by its Judgment and Order dated 8.7.2013.
- 3) The Criminal Appeal No. 21 of 2013 preferred by the applicant has been dismissed by the learned Sessions Judge, Vasai by its Judgment and Order dated 21 May, 2016.
- 4) The learned counsel for the applicant submitted that the

substantive sentence imposed upon the applicant is two months simple imprisonment which is a short term sentence. That the applicant was on bail during the pendency of the trial and there is no report that the applicant has violated any of the conditions of the bail.

5) In view of the above, I am inclined to suspend the substantive sentence and release the applicant on bail.

6) Hence, the following order :

(a) The substantive sentence imposed upon the applicant is suspended during the pendency of the revision application.

(b) The applicant be released on bail on his furnishing a PR bond of Rs.15,000/- with one or two local sureties in the like amount;

(c) After his release from Jail, the applicant shall attend the Trial Court once in six months on every first Monday of the said month between 11:00 a.m. to 1:00 p.m;

(d) In case of any two consecutive defaults in attending the Trial Court by the applicant, the prosecution will be entitled for seeking cancellation of bail granted by this Court;

7) The application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)