

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

CRIMINAL APPLICATION NO. 343 OF 2016
IN
REVISION APPLICATION NO. 343 OF 2016

Suhas Bhimrao Deshpande Vs. Shankar Kisan Gundal & Anr.

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

Court's or Judge's orders

Ms. Ashwini A. Kor for applicant.
Ms. R.V. Newton APP for State.

CORAM : A.S. GADKARI, J.
DATE : 28th June 2016.

P.C.:

1) The applicant is convicted under Section 138 of the Negotiable Instruments Act and sentenced to suffer simple imprisonment for one year and to pay fine of Rs.5000/- and in default of payment of fine, to further suffer simple imprisonment for two months by the Judicial Magistrate First Class, Khed-Rajgurunagar by its Order dated 25.7.2011 in STC No.288 of 2009. The Criminal Appeal bearing No.344 of 2011 preferred by the applicant has been turned down by the Additional Sessions Judge, Pune by its Judgment and Order dated 13.6.2016. The applicant has preferred the present Revision Application against the said Judgment and Order.

2) By an Order dated 17.6.2016 this Court has suspended the substantive sentence imposed upon the applicant on the basis of the statement made by the learned counsel for the applicant that the applicant will deposit an amount of Rs.29,000/- in the Registry of the Trial Court. The learned counsel for the applicant submitted that as a matter of fact, the applicant has deposited the said amount in the Registry of the Trial Court, however, the Trial Court is not releasing the applicant on bail on the ground that the Order dated 17.6.2016 is silent about releasing of the applicant on bail.

3) It is surprised to note the aforesaid submission. In my view the Order dated 17.6.2016 is self-eloquent and needs no further clarification. Once the sentence is suspended, the release of applicant on bail is a consequential relief. Be that as it may, the applicant is hereby directed to be released on bail on his furnishing PR bond of Rs.5000/- with one or two local sureties in the like amount.

4) Application is allowed in the aforesaid terms.

5) All concerned to act upon the authenticated copy of this Order.

(A.S. GADKARI, J.)