

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.528 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.513 OF 2016

Kashinath Yashwant More .. Applicant
Versus
The State of Maharashtra .. Respondent

Mr.Ramesh Dube Patil i/b Jay & Co.for the applicant.

Mr.A.R.Kapadnis, APP for the Respondent State.

CORAM : PN. DESHMUKH, J

DATED : 16th SEPTEMBER 2016

P.C. :

1 This application is filed for suspension of sentence and for grant of bail.

2 Heard learned counsel for both the sides.

3 According to learned counsel for the applicant, he is falsely involved in the present crime and is in no way responsible for any of the acts alleged in the case in view of the fact that applicant's wife was running Omkar Furniture Trading Co., and she had initiated scheme to collect certain amounts from its members, and on taking out draw, furniture was given to one member out of 25 members.

4 It is the case of applicant that he is working as Manager in Tulja Bhavani Credit Society at Pimpalgaon Baswant, District Nasik, and has nothing to do with the business activities of his wife. However, complainant Ramesh Wagh, has lodged report

against the accused involving him as responsible to start such scheme in the shop run by his wife.

5 In the background of facts, as aforesaid, applicant is found convicted for the offence punishable under section 420 IPC, and is sentenced to suffer SI for three months and to pay fine of Rs.1,500/- in default of fine to suffer SI for one month.

6 Learned Appellate Court by its judgment dated 2nd September 2016 dismissed the Appeal and as such, confirmed the order of the learned trial Court. However, during the pendency of Appeal, sentence imposed upon applicant was suspended. Even otherwise, pending trial, applicant was on bail and it is no case of prosecution that while on bail, he has misused the liberty granted to him.

7 In that view of the matter, and considering sentence imposed upon applicant which can be termed as short sentence, application is allowed as per order below.

O R D E R

Applicant shall be released on bail on his furnishing PR bond in the sum of Rs.15,000/- with one surety in like amount.

Applicant, while on bail, shall mark his attendance with Pimpalgaon Baswant Police Station once in six months, pending revision, and shall supply proof of his present residential address, and shall update the same if there is a change of address in future.

(PN. DESHMUKH, J)