

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.605 OF 2016

IN

CRIMINAL REVISION APPLICATION NO.600 OF 2016

Sampatrao D. More ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

.....

Mr. Gajanan M. Savage, Advocate for the Applicant.

Ms. A.A.Takalkar, APP for the Respondent/State.

....

CORAM : P N. DESHMUKH J.

DATED : OCTOBER 26, 2016.

P.C.

1 Heard learned counsel for both sides.

2 This is an application for suspension of sentence and for grant of bail of applicant who is convicted for the offence punishable under Sections 354, 451 and 506 of IPC. Appeal preferred is dismissed by the learned Sessions Court. The learned counsel for applicant has submitted that pending trial applicant was on bail. By referring to evidence of complainant as well as contents of FIR and of P.W.3-Mohan Patil, it is pointed out that there are material inconsistencies in their evidence. It is, therefore, prayed that applicant has good case on merits and therefore, prays that application be allowed pending revision.

3 Accused is found convicted by the learned trial Court for the offence as aforesaid and is sentenced to suffer RI for one year and

to pay fine of Rs.1,000/- in default to suffer SI for two months for the offence punishable under Sections 354 and 451 of IPC on both the counts and is convicted under Section 506 of IPC and is sentenced to suffer RI for six months and to pay fine of Rs.1,000/- in default to suffer SI for one month. All the sentences are directed to run concurrently. Appeal preferred is dismissed by the learned Sessions Court. Considering the evidence of complainant as well as contents of FIR and evidence of P.W.3 and in view of the fact that applicant is convicted for short sentence as aforesaid, who was admittedly on bail pending trial, application is allowed as per order below:

- (1) Applicant shall be released on bail on his executing P.R.Bond in the sum of Rs.15,000/- with one surety in the like amount.
- (2) Applicant shall mark his presence with Kadegaon Police Station once in three months, on the first day of such month, pending revision.
- (3) Applicant shall produce proof of his residence to the Investigating Officer and update change in address, if any, in future, to the concerned police station.

4 Application stands disposed of as allowed.

(P. N. DESHMUKH J.)