

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application [APPA] No.364 of 2016

in

Criminal Appeal No.187 of 2016

(Subhash Vitthal Rangari

vs.

The State of Maharashtra, through its P.S.O. Chandrapur)

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

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Court's or Judge's Orders

CORAM : N.W. SAMBRE, J.

DATE : 14th JULY, 2016.

Heard Advocate Ms. Karishma Gavai, holding for
Shri S.V. Sirpurkar, learned Counsel for the applicant/appellant.

The appellant was convicted for the offence
punishable under Section 498-A and acquitted for the offence
under Section 306 read with Section 34 of the Indian Penal
Code.

The learned Counsel for the appellant has brought to
my notice that the appellant was on bail during the trial and has
already paid the amount of fine as ordered by the trial Court.

On perusal of the diary [Exh.65], which is relied
upon for ordering the conviction, it is urged that the contents
thereof won't reflect the matter of cruelty, particularly as is
provided under Section 498-A of the Indian Penal Code.

Perused the said contents from the deposition.

Prima facie case is made out in the light of above submissions.

In my view, the case for grant of bail and suspension of sentence is made out. Hence, the following order :

1. The application is allowed.
2. The substantive sentenced imposed upon the appellant is suspended during pendency of the appeal.
3. The appellant be released on bail on the same terms and conditions, on which he was released on bail during the trial by the learned Court below on furnishing fresh bail bonds.
4. The application is disposed of as such.

Criminal Appeal No.187/2016 :

Heard.

ADMIT.

Shri J.Y. Ghurde, learned A.P.P. waives notice on behalf of the State.

JUDGE

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