

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

906 CRIMINAL REVISION APPLICATION NO. 5 OF 2017
WITH APPLN/129/2017 IN REVN/5/2017

RANGNATH S/O RAMBHAU THAWARE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Y.R. Shinde h/f. Munde Sandeep D.
APP for Respondent/State : S.J. Salgare
...

CORAM : T.V. NALAWADE, J.
DATED : 10th January, 2017.

ORDER :

1. Notice in both proceedings. The learned APP waives notice.

2. The learned counsel for petitioner is heard on application filed for suspension of substantive sentence. The learned counsel for petitioner is unable to make a statement as to whether fine amount is deposited or not. The petitioner is convicted and sentenced for the offence punishable under section 304-A of Indian Penal Code. Substantive sentence of one year and fine of Rs.2,000/- is imposed. Contention is made that after dismissal of the appeal, petitioner surrendered before the Court and he is in jail now for undergoing the sentence. Read the reasoning given. This Court holds that substantive sentence

needs to be suspended.

3. So, the application is allowed. Substantive sentence is suspended. Before releasing the petitioner on bail from jail, it is to be confirmed that entire fine amount has been deposited. He is to be released on bail on PR and SB of Rs.25,000/- (Rupees twenty five thousand). In those terms, the application is allowed and disposed of.

4. Call record and proceeding in revision. List the revision for final disposal on 20.3.2017.

[T.V. NALAWADE, J.]

ssc/