

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 40 OF 2017
IN
CRIMINAL REVISION APPLICATION NO. 8 OF 2017

SHRI. CORNELIO FERNANDES,
PRESENTLY LODGED IN JUDICIAL
CUSTODY, THR. SMT. MERLIN
FERNANDES.,

... Applicant

Versus
STATE OF GOA, THR. THE PUBLIC
PROSECUTOR.,

... Respondent

Mr. Vibhav Rajiv Amonkar and Mr. H. Sirsat, Advocates for the
applicant.

Mr. P. Faldessai, Additional Government Advocate for the
respondent.

Coram:- C. V. BHADANG, J.

Date:- 30th January, 2017

P.C.

This is an application for suspension of sentence. The applicant has been convicted for the offence punishable under Section 325 of Indian Penal Code (IPC, for short) and has been sentenced to suffer imprisonment for one month and to pay fine of Rs.5,000/- and in default, to suffer Simple Imprisonment for 15 days. This is confirmed by the learned Sessions Judge in appeal.

2. The offence is bailable and the applicant was on bail during the course of the trial and during the pendency of the appeal.

3. On hearing the learned Counsel for the applicant and the learned Additional Public Prosecutor for the respondent, the

following order is passed :

ORDER

- (i) The application is allowed.
- (ii) The substantive sentence of imprisonment is suspended, pending disposal of Criminal Revision Application No.8/2017, on condition of the applicant furnishing a P.R. Bond in the sum of Rs.15,000/-, with one solvent surety in the like amount and on condition of the applicant depositing the amount of fine before the Sessions Judge.
- (iii) Bail bonds to be furnished before the learned Sessions Judge.
- (iv) Parties to act on the authenticated copy of the order.

C. V. BHADANG, J.

SMA