

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 171 OF 2017
IN
CRIMINAL REVISION APPLICATION NO. 29 OF 2015**

Ashok Laxman Khokarale	...Applicant
Versus	
Pradeep Shankarrao Aautade & Anr.	...Respondents

Mr. Rajesh More i/b Ms. Aparna Rajesh More for the Applicant

Mr. H. J. Dedia, A.P.P. for Respondent No.2-State

CORAM:- REVATI MOHITE DERE, J.
WEDNESDAY, 22nd MARCH, 2017

P.C.

1. Learned Counsel for the applicant states that vide judgment and order dated 15th June, 2009, the learned Judicial Magistrate First Class, Pune, convicted the applicant and sentenced him to pay fine of Rs. 2,50,000/-, in default, to suffer simple imprisonment for three months. Being aggrieved by the aforesaid judgment, the applicant filed criminal appeal being Criminal Appeal No. 227 of 2009. The learned Additional Sessions Judge, Pune vide judgment and order dated 26th September, 2014 dismissed the said appeal.

2. By this application, the applicant seeks suspension of his sentence which is imposed in default of payment of fine, pending the hearing and final disposal of the aforesaid Revision Application.

3. Vide order dated 8th May, 2015, the applicant was enlarged on bail by this Court (Coram : M. L. Tahaliyani, J.). The said order was passed in Criminal Application No. 22 of 2015 filed in the aforesaid Revision Application.

4. Learned Counsel for the applicant states that pursuant to the order dated 8th May, 2015, the applicant has deposited Rs. 50,000/- in the trial Court.

5. Despite service, none appears for the respondent No.1. Heard learned Counsel for the applicant. Perused the application. It would be appropriate to suspend the applicant's sentence during the pendency of the aforesaid revision application.

6. Accordingly, the sentence imposed on the applicant in default of payment of fine of Rs. 2,50,000/- is suspended pending the hearing and final disposal of the Revision Application.

7. Application is accordingly disposed of.

REVATI MOHITE DERE, J.