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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.249 OF 2017
IN
CRIMINAL REVISION APPLICATION NO.240 OF 2017

Sudhakar Sina Pujari

Applicant

versus

The State of Maharashtra

Respondent

Mr.J.S.Hegde for Applicant.

Mr.V.V.Gangurde, APP, for State.

CORAM : PRAKASH D. NAIK, JJ.

DATE : 30th June 2017

PC :

1. This is an application for bail and suspension of sentence imposed by the Trial Court and confirmed by the Appellate Court.

2. The Applicant was convicted by Court of Additional Chief Metropolitan Magistrate, 47th Court, Esplanade, Mumbai by judgment dated 9th June 2011 for offence punishable under Section 457 of Indian Penal Code and was sentenced to suffer rigorous imprisonment for two years. He was also convicted for offence under Section 380 of Indian Penal Code and was sentenced to suffer rigorous imprisonment for three years. Both the sentences were directed to run concurrently.

3. The Applicant preferred an appeal against said judgment and order before the Sessions Court. The said appeal has been dismissed by judgment dated 31st March 2017. The Applicant has been taken into custody.

4. The learned advocate for the Applicant submits that the Applicant was on bail during trial as well as during pendency of his appeal before the Sessions Court. He is sentenced to suffer rigorous imprisonment to two years and three years respectively for the offences under Sections 457 and 380 of IPC.

5. Since maximum sentence imposed is of three years and as Applicant was on bail during trial as well as during pendency of the appeal and also considering the nature of evidence against the Applicant, the sentence imposed on the Applicant can be suspended.

6. Hence, I pass following order :

(i) Pending hearing and final disposal of Criminal Revision Application No.240 of 2017, the judgment and order dated 9th June 2011 passed by Additional Chief Metropolitan Magistrate, 47th Court, Esplanade, Mumbai in CC No.502/PW/2005 and confirmed by Sessions Court vide judgment and order dated 31st March 2017, is suspended and the Applicant is directed to be released on bail;

(ii) The Applicant is directed to be released on bail on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;

(iii) Criminal Application No.249 of 2017 stands disposed of;

(iv) The Applicant is permitted to furnish cash security in the sum of Rs.20,000/- for a period of two weeks.

(PRAKASH D. NAIK, J.)

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FARAD CONTINUATION SHEET
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Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
	CORAM : PRAKASH D. NAIK, J. DATE : 30th June 2017 PC :- 1. Heard learned advocate for Applicant. 2. Admit. (PRAKASH D. NAIK, J.)