

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.535 OF 2017

IN

CRIMINAL REVISION APPLICATION NO. 537 OF 2017

Prasad Subhash Wafgaonkar ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr.Satyavrat Joshi for the applicant.

Ms.J.S. Lohakare, APP for the State.

CORAM: A.M. BADAR, J.

DATED: 6th DECEMBER 2017

PC:-

1. This is an application for suspension of sentence and releasing the applicant/original accused on bail during the pendency of the revision petition filed by him.

2. The learned advocate appearing for the applicant/accused argued that during the pendency of the trial as well as the appeal, the applicant/accused, who is a student was on bail. Averments against him are to the effect that he allowed the co-accused to impersonate himself as a

candidate appearing for the examination. Considering the nature of offence, as well as age of the applicant he deserves to be released on bail.

3. The learned APP opposed the application by contending that the crime in question is serious and therefore, the applicant is not entitled for bail.

4. I have considered the rival submissions and also perused the impugned judgment and order. According to the prosecution case on 7.3.2009, at Shivaji High School, Nasarapur, Tq. Bhore, Dist. Pune, the applicant/accused was found to have permitted the co-accused to impersonate himself as a candidate for the Board examination.

5. The applicant/ accused was throughout on bail. The revision petition filed by him is admitted for final hearing. The applicant/accused is a student of young age. The revision

petition filed by him may not be heard in the near future. In this view of the matter, the following order.:-

ORDER

- i) The application is allowed.
- ii) Substantive sentence of imprisonment imposed on the applicant is suspended and he is directed to be released on bail on executing P.R bond of Rs. 15,000/- and on on furnishing surety in the like amount.

(A.M. BADAR, J)