

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.540 OF 2017

WITH

CRIMINAL APPLICATION NO. 541 OF 2017

IN

CRIMINAL REVISION APPLICATION NO. 544 OF 2017.

Ramesh Raghunath Chandanshiv ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Nilesh R.Pandey for the applicant.

Ms. P.P.Shinde, APP for the State.

CORAM: A.M. BADAR, J.

DATED: 13th OCTOBER, 2017

PC:-

1. These applications are for suspension of sentence and releasing the applicant/accused on bail during the pendency of the Revision Petition filed by him.

2. Heard the learned Advocate for the applicant/accused.
The learned APP appears for the State.

3. The learned trial Magistrate was pleased to convict the applicant /accused for the offence punishable under Sections

304-A and 279 of the Indian Penal Code. For the offence punishable under Section 304-A of the Indian Penal Code, he is sentence to suffer simple imprisonment for two years and for the offence punishable under Section 279 of the Indian Penal code, he is sentenced to suffer simple imprisonment for 6 months. In appeal conviction of the applicant is maintained but by holding that no separate sentence needs to be imposed for the offence punishable under Section 279 of the Indian Penal Code the appeal came to be partly allowed by modifying the order suitably.

4. Considering the nature of evidence as well as the offence this court has to consider the Revision Petition filed by the present applicant challenging the conviction of sentence recorded against him by courts below. Therefore, the following order.

ORDER

- (i) The applications are allowed.

(ii) The substantive sentence of imprisonment imposed on the applicant is suspended and he is directed to release on bail on executing PR bond of Rs.15,000/- and on furnishing surety in the like amount.

(iii) On request of the learned advocate for the applicant, initially, for the period of six weeks, in order to enable him to arrange for surety the applicant/accused be released on furnishing cash security of Rs.15,000/-.

(iv) Parties to act on an authenticated copy of this order.

(A.M. BADAR, J)