

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPEAL NO.36 OF 2017

Tarachand s/o Dhannu Chavhan

..VS..

State of Maharashtra, thr. P.S.O., P.S. Hingna, District Nagpur

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri P.V. Navlani, Counsel for the appellant.
Shri Nikhil Joshi, Addl.P.P. for the State.

CORAM : P.N. DESHMUKH, J.

DATED : MARCH 9, 2017.

Heard.

Issue notice to the respondent.

Learned Additional Public Prosecutor
waives notice on behalf of the respondent.

ADMIT.

Call record and proceedings.

Criminal Application (APPA) No.75 of 2017

Heard.

Issue notice to the non-applicant.

Learned Additional Public Prosecutor
waives notice on behalf of the non-applicant.

This application is filed for suspension of
substantive sentence imposed upon applicant for the
offences punishable under Sections 452 and 354 of the

Indian Penal Code.

Learned counsel for the applicant submitted that applicant was on bail, pending Trial and his sentence is suspended, till appeal period is over. Appeal is filed within limitations. It is also contended that total fine amount is paid.

Perused judgment where from applicant is found convicted for the offences punishable under Sections 354 of the Indian Penal Code and is sentenced to suffer simple imprisonment for two years and to pay a fine of Rs.2,000/-, in default, to suffer simple imprisonment for one month; and also convicted for the offence punishable under Section 452 of the Indian Penal Code and is sentenced to simple imprisonment for one year and to pay a fine of Rs.1,000/-, in default, to suffer simple imprisonment for 15 days.

Considering that applicant was on bail pending Trial and as it is no case of the prosecution that while on bail applicant has misused liberty granted to him earlier and since had made payment of fine amount, application is liable to be allowed as applicant is found convicted for a short sentence. Hence, the following order :

Applicant shall be released on bail on his executing P.R. Bond in the sum of Rs..15,000/- with one surety in the like amount.

While on bail, applicant shall mark his

presence with Hingna Police Station, District Nagpur quarterly on the first day of each such month, pending appeal.

Application stands disposed of accordingly.

JUDGE

!! BRW !!

C E R T I F I C A T E

I certify that this Order/Judgment uploaded is a true and correct copy of original signed Order.

**Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)**

Uploaded on :- 10/3/2017