

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

CRIMINAL APPEAL NO.73 OF 2017

Pramod s/o Shankarrao Kharपुरiya

..VS..

State of Maharashtra, through P.S.O., Jalalkheda, District Nagpur

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

Court's or Judge's Order

Shri S.M. Nafde, Counsel for the appellant.
Shri V.P. Gangane, Addl.P.P. for the State.

CORAM : P.N. DESHMUKH, J.

DATED : MARCH 7, 2017.

Heard.

Issue notice to the non-applicant.

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

ADMIT.

Call record and proceedings.

Criminal Application (APPA) No.141 of 2017

Heard.

Issue notice to the non-applicant.

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

This application is filed for suspension of
substantive sentence and for bail alleging that

maximum punishment imposed upon applicant in this crime is of three years for the offence punishable under Section 3(1)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, "*the said Act*") and that applicant was on bail, pending Trial and it is thus prayed that application be allowed.

It is revealed that applicant is convicted for the offences punishable under Sections 354, 451, and 506 of the Indian Penal Code and for the offence punishable under Section 3(1)(xii) of the said Act, however, maximum punishment imposed upon applicant is, as aforesaid, for three years under the said Act and is directed to pay a fine of Rs.2,000/-, in default, to suffer simple imprisonment for two months.

Considering that applicant was on bail, pending Trial and as it is no case of prosecution that while on bail applicant has misused liberty granted to him 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.20,000/- with one surety in the like amount.

While on bail, applicant shall mark his presence with Jalalkheda Police Station, District Nagpur

once in three months 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 :- 8/3/2017

...../-