

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
CRIMINAL APPLICATION (APPA) NO.327/2017
in
CRIMINAL APPEAL NO. 209 /2017
(Shriram Hirasing Sahadeo vs. he State of Maharashtra)

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

Court's or Judge's order

Shri N.B.Bargat, Advocate for the applicant
 Shri N H Joshi, Addl. Public Prosecutor for the respondent.

CORAM : MRS.SWAPNA JOSHI, J.
DATED : 23rd August, 2017.

By this Application, the applicant prays for suspension of jail sentence imposed upon him by the learned Special Judge, Darwha dated 29th March 2017 in Special Case No.3/2014.

The applicant was convicted for the offence punishable under section 294 of IPC and sentenced to suffer SI for one month and to pay a fine of Rs. 1000/- in default to suffer SI for five days. The applicant was further convicted u/s 504 of IPC and sentenced to suffer SI for six months and to pay a fine of Rs. 1,000/- in default to suffer SI for one month.

I have heard the counsel for the respective parties.

The applicant was on bail during the pendency of trial. Even after the judgment and order of conviction, the learned trial court has suspended the jail sentence and the applicant was released on bail.

In view of the above facts, and considering that it would not be possible to take up the hearing of the appeal finally by this

Court in the near future, due to pendency of old matters, the applicant is entitled to suspension of jail sentence and grant of bail. Hence the following order:

ORDER:

- 1) Criminal Application No. 327/2017 is allowed.
- 2) The substantive jail sentence imposed against the applicant by the Special Judge Darwha in Special Case No.3/2014 dated 29th March 2017 shall remain suspended during the pendency of the present Appeal.
- 3) The applicant shall be released on bail by executing fresh bonds of the same amount as in the trial court.
- 4) The learned Judge before whom the bail bonds will be executed shall ensure that before execution of the bail bonds, the entire fine amount is deposited by the applicant.
- 5) The applicant shall remain personally present before this court at the time of final hearing of the Appeal.

The Application stands disposed of.

JUDGE

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