

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

CRIMINAL APPEAL NO.243 OF 2017

Aatish s/o Uttam Gawali

..VS..

State of Mah., thr P.S.O., P.St. Ajani, Nagpur

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

Court's or Judge's Order

Shri O.K. Masurke, Counsel for the appellant.
Shri N.B. Jawade, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : JUNE 06, 2017.

Heard learned counsel Shri O.K. Masurke
for the appellant and learned Additional Public
Prosecutor Shri N.B. Jawade for the State.

ADMIT. Learned Additional Public
Prosecutor waives notice.

Criminal Application (APPA) No.404 of 2017

This is an application for suspension of
substantive jail sentence and for grant of bail.

Learned Additional Sessions Judge, Nagpur,
in Sessions Trial No.225 of 2016 on 8.5.2017, convicted
the applicant for the offence punishable under Section
363 of the Indian Penal Code and is directed to suffer

.....2/-

rigorous imprisonment for one year and to pay a fine of Rs.1,000/-.

Submission of learned counsel for the applicant is that during the pendency of the proceedings before the Court below, applicant was on bail. Further, after impugned order, the Court below has already suspended the substantive jail sentence.

In that view of the matter and in view of the fact that conviction is for fixed duration, the application is allowed. Substantive jail sentence, as imposed upon the applicant by learned Additional Sessions Judge, Nagpur, in Sessions Trial No.225 of 2016 on 8.5.2017, shall remain suspended.

The applicant to execute the fresh bail bonds of the same amount before the Court below within two weeks.

The application is disposed of.

Learned counsel for the applicant undertakes to remove all office objections within a period of one week.

JUDGE

!! BRW !!

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