

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

CRIMINAL APPEAL NO.250 OF 2017

Kisan s/o Pundlik Ekonkar

..VS..

State of Maharashtra, through P.S.O., Police Station Shegaon, Tahsil
Warora, District Chandrapur

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

Court's or Judge's Order

Shri C.H. Jaltare, Counsel for the appellant.
Ms T.U. Udeshi, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : JUNE 06, 2017.

Heard learned counsel Shri C.H. Jaltare
for the appellant.

ADMIT. Learned Additional Public
Prosecutor waives notice.

Criminal Application (APPA) No.412 of 2017

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

By impugned order dated 6.5.2017, in

.....2/-

Sessions Case No.19 of 2017, learned Additional Sessions Judge, Warora has convicted the applicant for the offence punishable under Section 376 read with Section 511 of the Indian Penal Code and has directed him to suffer rigorous imprisonment for three years and to a pay fine of Rs.1,000/-.

Heard learned counsel Shri C.H. Jaltare, for the applicant and learned Additional Public Prosecutor for the non-applicant/State and also gone through the deposition of the witnesses which are enclosed along with the application. It is to be noted that during pendency of the sessions case, the applicant was on bail and at no point of time he has mis-used liberty granted to him.

Further after the conviction, learned Judge of the Court below has suspended the substantive jail sentence. In that view of the matter and in view of the fact that the conviction is for a fixed duration, the present application is allowed. Substantive jail sentence imposed upon the applicant on 6.5.2017, in Sessions Case No.19 of

2017 by learned Additional Sessions Judge, Warora stands suspended during the pendency of the present appeal. The applicant to execute the fresh bonds of the same amount before the Court below within a period of two weeks.

The application is allowed and disposed of.

JUDGE

!! BRW !!

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