

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

CRIMINAL REVISION NO. 102 OF 2017

(Prashant S/o Shriram Mohod..vs..State of Maharashtra, through Public
Prosecutor,Kelapur,District-Yavatmal)

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

Court's or Judge's orders.

Shri M.P.Khajanchi, Advocate for applicant.
Miss T.H.Udeshi, A.P.P. for State.

CORAM : V.M. DESHPANDE, J.
DATED : JULY 24, 2017

Heard learned counsel for the applicant.

Rule.

Call record and proceedings.

Miss T.H.Udeshi, learned A.P.P. waives the service
of notice on behalf of respondent.

CRIMINAL APPLICATION (APPR) NO.140 OF 2017

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

The applicant was convicted in R.C.C.No.5/2007 by
learned J.M.F.C.Wani on 07/12/2012 by which the Court
below acquitted the applicant for the offence punishable under
Sections 452 and 506 of the Indian Penal Code and convicted
the applicant for the offence punishable under Section 354 of
the Indian Penal Code and directed to suffer R.I. for three
months and to pay fine of Rs. 1000/- and in default of

payment of fine amount shall suffer further S.I. for 15 days.

The appeal carried against the said judgment and order of conviction bearing No.2/2013 is dismissed by learned Additional Sessions Judge-1,Kelapur on 20/7/2017.

The learned counsel for the applicant submits that after the judgment and order was passed on 20/7/2017, the applicant is taken in custody and presently he is in jail.

Today itself the Court has admitted the revision since it makes out a good case for the applicant.

The applicant was on bail throughout during the course of trial and appeal. In that view of the matter and looking to the nature of the evidence adduced on record by the prosecution, the present application is allowed. The substantial jail sentence imposed upon the applicant by learned J.M.F.C.Wani and confirmed by learned Additional Sessions Judge-1,Kelapur stands suspended during the pendency of the present revision.

The applicant be released on bail on his executing P.B. of Rs. 5000/- with one solvent surety in the like amount.

The bail bonds be executed in the Court of J.M.F.C.Wani.

Before releasing the applicant, the learned

Magistrate shall ensure that entire fine amount is deposited by the applicant.

The applicant shall remain present personally before this Court at the time of final hearing.

With this application is allowed and disposed of.

JUDGE

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