

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

CRIMINAL APPEAL NO.353 OF 2017

(Ankush S/o Bhujangrao Raut..vs..The State of Maharashtra, through PSO.P.S.Seloo,Tahsil-Seloo,District-Wardha)

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

Court's or Judge's orders.

Shri C.R.Thakur, Advocate for appellant.
Miss.T.H.Udeshi, A.P.P. for State-respondent.

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 1, 2017

Heard learned counsel for appellant and learned
A.P.P. for State-respondent.

Admit.

The learned A.P.P. waives the service of notice on
behalf of State-respondent.

CRIMINAL APPLICATION (APPA) NO.595 OF 2017

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

The applicant is convicted by learned Sessions
Judge, Wardha in S.T.No.148/2014 for the offence punishable
under Section 307 of the Indian Penal Code and is directed to
suffer R.I. for seven years and to pay a fine of Rs. 5000/- and
in default of payment of fine further to suffer S.I. for one year.

Heard learned counsel for applicant and learned
A.P.P. for State-respondent.

The learned counsel for the applicant submitted and also could be seen from the judgment itself that the applicant is in jail since 30/5/2014. That shows that the applicant has already undergone more than three years in jail.

Looking to the pendency of the criminal appeals before this Court in the near future this Court will not take final hearing of this appeal.

Looking to the fact that the applicant is in jail and has already served more than 3 years and 2 months of the sentence out of 7 years, in my view the application of the applicant can be considered. Hence, order.

ORDER

- I) The application is allowed.
- II) The substantive jail sentence imposed upon the applicant by learned Additional Sessions Judge, Wardha shall remain suspended during the pendency of the appeal.
- III) The applicant is directed to release on bail on his execution of P.B. of Rs. 5000/- with one solvent surety in the like amount.
- IV) The applicant shall not intimidate the injured.

- V) The applicant is directed to report P.S.Seloo once in a month i.e. on last Sunday of every month in between 3.00 p.m. to 5.00 p.m. initially for the period of 6 months and thereafter he shall report to P.S.Seloo, once in a two months for next 1 and $\frac{1}{2}$ year .
- VI) The applicant shall remain present personally before this Court at the time of final hearing of the appeal.
- VII) With this, the application is disposed of.

JUDGE

kitey