

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 39 OF 2018
IN
CRIMINAL REVISION APPLICATION NO. 11 OF 2018

JOAQUIM RODRIGUES, PRESENTLY
LODGED IN JUDICIAL CUSTODY, THR.
CAITANA RODRIGUES.,

... Applicant

Versus

THE STATE OF GOA, THR. POLICE
INSPECTR, COLVA POLICE STATION,
COLVA.,

... Respondent

Mr. Ryan Da Piedade Menezes, Advocate for the applicant.
Mr.S.R.Rivankar, PP for the respondent.

Coram:- PRITHVIRAJ K. CHAVAN, J.

Date:- 12th February 2018

P.C.

The applicant was convicted by the learned Judicial Magistrate First Class for the offence punishable under Sections 279 and 304-A of Indian Penal Code. He is sentenced to undergo simple imprisonment for one year and sentenced to pay a fine of Rs.1000/- for the offence punishable under Section 279 of IPC. He is also sentenced to pay fine of Rs.1000/- for the offence punishable under Section 304-A of IPC. The lower Appellate Court had confirmed the sentence by dismissing Criminal Appeal bearing No.87/2017 dated 7.2.2018 against which, the present Criminal Revision Application is preferred, inter alia, an application for suspension of sentence.

2. Heard Mr.Ryan Menezes, learned counsel for the applicant and Mr.S.R.Rivankar, learned Public Prosecutor for the respondent.
3. Pursuant to dismissal of the appeal, it is submitted by the learned counsel for the applicant that the applicant has been taken into custody and committed to jail to undergo sentence of imprisonment. It is submitted that the applicant has a good case on merits. He has also deposited the fine amount. The applicant was on bail through out pendency of the trial as well as appeal before the lower Appellate Court. The learned Public Prosecutor has no objection in suspending the sentence.
4. In view of the aforesaid facts, pending hearing of the present Criminal Revision Application, execution of the sentence shall stand suspended and the applicant be released on furnishing a Personal Bond in the sum of Rs.20,000/- with one solvent surety in the like amount to the satisfaction of Registrar (Judicial)of this Court. The applicant shall attend hearing of this matter on each date.
5. Application stands disposed of.

PRITHVIRAJ K. CHAVAN, J.

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