

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.119 OF 2018
IN
CRIMINAL REVISION APPLICATION NO.108 OF 2018

Jagannath Dada Jamkar
versus
The State of Maharashtra

Applicant

Respondent

Mr.R.V.Bansode with Ms.Sheetal M. Ubale for applicant.
Mr.P.H.Gaikwad, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 3rd July 2018

PC :

1. This is an application for suspension of sentence and grant of bail. The applicant is convicted for offence u/s 353 of Indian Penal Code and sentenced to suffer rigorous imprisonment for one year. The applicant was, however, acquitted for offences u/ss.143 and 506 r/w Section 149 of Indian Penal Code. The appeal preferred by the applicant was rejected by Sessions Court Satara by judgment and order dated 29th December 2017.

2. Learned advocate for applicant, on instructions, makes a statement that the applicant has surrendered before the Trial Court on 2nd July 2018. It is submitted that the applicant was on bail during trial as well as during pendency of the appeal and he has not misused the liberty of bail granted to him. It is submitted that the

judgments passed by the Courts below suffer from several infirmities. Learned APP submitted that there is concurrent findings of two Courts.

3. Taking into consideration aforesaid circumstances and the sentence awarded by the Trial Court, case for suspension of sentence and grant of bail is made out. Hence, I pass following order :

ORDER

- (i) Pending hearing and final disposal of Criminal Revision Application No.108 of 2018, the sentence of imprisonment awarded by the Court of Chief Judicial Magistrate, Satara vide judgment and order dated 25th July 2012 passed in RCC No.399 of 2007, which was confirmed by the Additional Sessions Judge, Satara vide judgment and order dated 29th December 2017 passed in Criminal Appeal No.112 of 2012 is suspended and the applicant is directed to be released on bail on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (ii) The applicant is permitted to furnish cash security in the sum of Rs.20,000/- for a period of six weeks;
- (iii) Criminal Application No.119 of 2018 stands disposed off.

(PRAKASH D. NAIK, J.)

MST