

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 438 OF 2018
IN
REVISION APPLICATIN NO.462 OF 2018**

Shital Chandrakant Sawant

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. RA. Naik i/by U.R. Mankapure for the Applicant.
Smt. Veera Shinde, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE: 05th Sept. 2018

P.C.:

1. This is an application for suspension of sentence and for releasing the applicant on bail.
2. The applicant is convicted under Section 279 and 337 of the Indian Penal Code and under Section 184 of the Motor Vehicles Act and sentenced to suffer rigorous imprisonment of three months and to pay a total fine of Rs.4000/-, in default of payment of fine to further under go prescribed

sentence by the learned Judicial Magistrate First Class Miraj in S.C.C. No.495/2011 by its Judgment and Order dated 7.4.2012. The Criminal Appeal No.139 of 2012 preferred by the applicant has been partly allowed by the learned Additional Sessions Judge, Sangli by its Judgment and Order dated 24.8.2018 and the sentence imposed upon the applicant is reduced to one month of simple imprisonment for each offence. The Appellate Court has directed that, all the sentences to run concurrently.

3. The learned counsel for the applicant submitted that, the applicant has already deposited the fine amount in the registry of the Trial Court.

4. As the maximum sentence imposed upon the applicant is simple imprisonment of one month and the possibility of hearing the present revision on merits in near future is remote, I am inclined to release the applicant on bail.

Hence, the following order.

- a) The applicant be released on bail on his furnishing PR bond of Rs.5000/- with one or two local sureties in the like amount.
- b) All the concerned to act on a copy of this Order duly authenticated by the registry of this Court.

(A.S.GADKARI, J.)