

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 439 OF 2018****IN****CRIMINAL REVISION APPLICATION NO. 465 OF 2018**

Mustafa Khudbuddin JamadarApplicant

Vs.

The State of MaharashtraRespondent.

Mr. Satyavrat Joshi for the Applicant.

Mr.S.S. Hulke APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 4th SEPTEMBER, 2018.****P.C.:-**

This is an Application for suspension of sentence and releasing the Applicant on bail.

2 The Applicant is convicted under Sections 452 and 354 of the Indian Penal Code and is sentenced to suffer maximum rigorous imprisonment for two years and to pay a total fine of Rs.2,000/- in default of payment of fine to further undergo prescribed sentence by the learned Judicial Magistrate, First Class, Ichalkaranji in RCC No. 244 of 2012 by its Judgment and Order dated 21st June, 2016.

3 The Criminal Appeal No. 30 of 2016 preferred by the Applicant has been turned down by the Additional Sessions Judge,

Ichalkaranji by its Judgment and Order dated 18th August, 2018.

Mr. Joshi, the learned counsel for the Applicant submitted that, the Applicant has already deposited the fine amount of Rs.2,000/- in the Registry of the Trial Court.

4 As the maximum sentence imposed upon the Applicant is two years and the possibility of hearing of the Revision on its own merits in near future is remote, I am inclined to release the Applicant on bail.

Hence the following order-

- a) The substantive sentence imposed upon the Applicant is suspended during the pendency of the present Revision Application.
- b) During the pendency of the Revision, the Applicant be released on bail on his furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.

5 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)