

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 440 OF 2018****IN****CRIMINAL REVISION APPLICATION NO. 471 OF 2018**

Burhanappa Hanmantu Kambolu

....Applicant

Vs.

The State of Maharashtra

....Respondent.

Mr. M.N. Gawankar I/by Prasad Kulkarni for the Applicant.

Mr.Amit Palkar APP, for the Respondent-State.

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

The Applicant is accused No. 3. The Applicant is convicted under Sections 394, 454 and 380 read with Section 34 of the Indian Penal Code and is sentenced to suffer maximum rigorous imprisonment for three years and to pay a total fine amount of Rs.6,000/-, in default of payment of fine to further undergo prescribed sentence by the learned Chief Judicial Magistrate, Solapur in R.C.C. No. 1247 of 2014 by its Judgment and Order dated 23rd March, 2015.

2 The Criminal Appeal No. 84 of 2015 has been dismissed by the learned Additional Sessions Judge, Solapur by Judgment and Order dated 10th July, 2018.

3 Mr. Gawankar, the learned counsel for the Applicant submitted that, the Applicant will deposit the fine amount imposed upon him within a period of three weeks from today in the Registry of the Trial Court, if not deposited earlier, as he is lack of instructions in that behalf.

4 As the maximum sentence imposed upon the Applicant is three years of rigorous imprisonment and the possibility of hearing of the Revision on its own merits in near future is remote, I am inclined to suspend the sentence and 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.)