

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.35 OF 2017
IN
CRIMINAL REVISION APPLICATION NO. 35 OF 2017

Nandkumar Keshav Bole

.. Applicant/Ori.Accused

Versus

The State of Maharashtra

.. Respondent

Mr.Nilesh Pawaskar a/w Ms.Geetanjali Shinde, Advocates for the applicant.

Mr.PH.Gaikwad-Patil, APP for the Respondent State.

CORAM : PRAKASH D. NAIK, J.

DATED : 13th FEBRUARY 2018

P.C. :

1. This is an application for suspension of sentence imposed by the judgment and order dated 15th April 2014 passed by the learned Metropolitan Magistrate, 29th Court, Dadar, Mumbai. The applicant has been convicted for offence under Sections 279 and 427 IPC and sentenced to undergo simple imprisonment for three months on both the counts. The sentences were directed to run concurrently. The appeal preferred by the applicant has been dismissed vide judgment and order dated 21st October 2016. It is submitted that the applicant was on bail during the trial and also during the pendency of appeal. The railway engine driven by the applicant was allegedly suddenly

came back and dashed driver side of bus driven by PW No.1, which caused damage. Considering the fact that the applicant has been convicted for the aforesaid offences and sentenced to imprisonment for three months and also considering the issues involved in the application, the sentence of imprisonment can be suspended by releasing the applicant on bail.

: ORDER :

(i) Pending Criminal Revision Application No.35 of 2017, the sentence of imprisonment imposed by the Court of Metropolitan Magistrate, 29th Court, Dadar, Mumbai vide judgment and order dated 15th April 2014 passed in C.C.No.2900787/PS/2011, which was confirmed by the Sessions Court vide judgment and order dated 21st October 2016, is suspended and the applicant is directed to be released on bail on furnishing PR Bond in the sum of Rs.20,000/- (Rs.Twenty Thousand only) with one or more sureties in the like amount;

(ii) Criminal Application No.35 of 2017 stands disposed of.

(PRAKASH D. NAIK, J.)