

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.90 OF 2017
AND
CRIMINAL APPLICATION NO.91 OF 2017
IN
CRIMINAL REVISION APPLICATION NO.87 OF 2017

Umesh Suresh Jadhav

Applicant

versus

The State of Maharashtra

Respondent

Mr.B.G.Tangsali with Gayatri Shahane h/for S.R.Gaud for applicant.
Mr.A.R.Patil, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 3rd July 2018

PC :

1. These applications are preferred for suspension of sentence of imprisonment and grant of bail. The applicant is convicted for offence u/s 353 of Indian Penal Code vide judgment and order dated 30th January 2014 passed by Metropolitan Magistrate, 15th Court, Mazgaon in CC No.628/PS/2012. The applicant was sentenced to suffer imprisonment of two years. The applicant preferred an appeal before the Sessions Court bearing Criminal Appeal No.277 of 2014. The said appeal has been dismissed by judgment and order dated 27th January 2017.

2. Learned counsel for applicant submitted that the applicant was on bail during trial and also during pendency of the appeal. The applicant has surrendered before the Trial Court on 2nd July 2018. It

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is submitted that the judgment passed by the Courts below suffer from several infirmities. He has not misused the bail granted during the trial as well as during pendency of appeal.

3. The revision application preferred by the applicant has been admitted. Taking into consideration the aforesaid circumstances, the applications deserve to be allowed. Hence I pass following order :

ORDER

- (i) Pending hearing and final disposal of Criminal Revision Application No.87 of 2017, the sentence of imprisonment awarded by the Court of Metropolitan Magistrate, 15th Court, Mazgaon, Mumbai vide judgment and order dated 30th January 2014 in CC No.628/PS/2012, which was confirmed by the Sessions Court in Criminal Appeal No.277 of 2014 by judgment and order dated 27th January 2017, 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 two 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 four weeks;
- (iii) Criminal Application No.90 of 2017 and Criminal Application No.91 of 2017 stand disposed off;
- (iv) Parties to act on authenticated copy issued by registry.

(PRAKASH D. NAIK, J.)