

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.223 OF 2018

IN

CRIMINAL REVISION APPLICATION NO. 224 OF 2018

Shweta R. Pathare vs. The State of Maharashtra and ors.

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Sanjeev Kadam i/by Prashant Darandale for the Applicant.

Mr. V.V.Gangurde, APP. for the Respondent-State.

CORAM : A.S.GADKARI, J.

DATE : 18th April, 2018

P.C.

1. This is an application for suspension of sentence and releasing the applicant on bail in Criminal Appeal No.536 of 2017 in CC No.757/P/2002.

2. Heard Shri. Kadam, learned counsel for the applicant and the learned APP. for the State.

3. The applicant is personally present in Court.

The applicant is convicted under Section 420 of the Indian Penal Code and is sentenced to to suffer rigorous imprisonment for one year and to pay a fine of Rs.30,000/-

and in default of payment of fine to further under go rigorous imprisonment for two months by the learned Additional Chief Metropolitan Magistrate, 11th Court, Kurla Mumbai. The appeal bearing Criminal Appeal No.536 of 2017 preferred by the applicant has been turned down by the learned Additional Sessions Judge, City Civil and Sessions Court, Greater Mumbai by its Judgment and Order dated 7.4.2018. In the premise, the present revision is filed which has been admitted by this Court by an order of even date.

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 one year of rigorous imprisonment and the possibility of Revision being heard on its own merits in near future is remote, I am inclined to suspend the substantive sentence and release the applicant on bail.

Hence, the following order,.

a) During the pendency of the Revision the substantive

sentence imposed upon the applicant is suspended.

b) During the pendency of the Revision, the applicant be released on bail in Criminal Appeal No.536 of 2017 in CC No.757/P/2002 on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

c) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)