

Nalawade

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 264 OF 2018

IN

CRIMINAL REVISION APPLICATION NO.276 OF 2018

Musa Ismail Siddik vs. The State of Maharashtra

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. Kuldeep Patil for the Applicant.

Mr. Prashant Jadhav, APP for the Respondent-State.

CORAM :A.S.GADKARI, J.

DATE : 22nd May, 2018

P.C.

1. This is an application for suspension of substantive sentence and releasing the applicant on bail in RCC No. No.8/2003.

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

3. The applicant is convicted under Section 326 of the Indian Penal Code and is sentenced to suffer maximum rigorous imprisonment for three years and to pay a fine of Rs.3000/-, in default of payment of fine to further under go simple imprisonment for three months by the Judicial Magistrate First Class, Roha, District Raigad in RCC

No.8/2003 by its Judgment and Order dated 29.5.2012.

The Criminal Appeal No.31/2012 preferred by the applicant has been turned down by the learned Additional Sessions Judge, Mangaon, District Raigad by its Judgment and Order dated 8.5.2018. The learned counsel for the applicant submitted that the applicant has already deposited the fine amount in the registry of the Trial Court.

3. As the maximum sentence imposed upon the applicant is three years of rigorous imprisonment and the possibility of revision being heard on merits in near future is remote, I am inclined to suspend the substantive sentence and to release the applicant on bail.

Hence, the following order.

a) During the pendency of the present revision, the substantive sentence imposed upon the applicant is suspended.

b) During the pendency of the revision, the applicant be released on bail in RCC No.8/2003 on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

- c) After his release from Jail, the applicant shall mark his presence before the Trial Court on every first Monday of the month between 11.00 a.m. to 2.00p.m. If the said first Monday is Court holiday/public holiday the applicant shall mark his presence on immediate next day.
- d) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)