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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 434 OF 2017
IN
REVISION APPLICATION NO. 450 OF 2017**

Rajendra Gangadhar Barve

..Applicant

Vs

The State of Maharashtra

..Respondents

Mr. Pravin Dhanawade I/b D.V. Saroj for applicant.

Mr. S.S.Hulke APP for State.

CORAM : A.S.GADKARI, J.

DATE : 7th September 2018

P.C.:

1] This is an application for suspension of sentence and for releasing the applicant on bail.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the record.

3] The applicant is the original accused No.1. He is convicted for an offence punishable under Section 324 of the Indian Penal Code and is sentenced to suffer rigorous imprisonment for six months and to pay a fine of Rs.500/-, in default of payment of fine to further suffer simple imprisonment for one month by the learned Judicial Magistrate First Class,

Nashik Road in R.C. No. 276 of 2010, by its Judgment and Order dated 30.07.2013. Criminal Appeal bearing No.102 of 2013 preferred by the applicant has been turned down by the learned Additional Sessions Judge, Nashik its Judgment and Order dated 29th July 2017.

4] As the maximum sentenced imposed upon the applicant is of six months of rigorous imprisonment and the possibility of Revision being heard on merits in near future is remote, I am inclined to suspend the sentence and release the applicant on bail.

Hence the following Order:

(i) During the pendency of the Revision, the substantive sentence imposed upon the applicant is suspended.

(ii) During the pendency of the Revision, the applicant be released on bail on his furnishing PR bond in the sum of Rs.15,000/- with one or two local sureties in the like amount.

(iii) Applicant shall not tamper with evidence and/or influence the prosecution witnesses.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)