

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 468 OF 2018

IN

CRIMINAL REVISION APPLICATION NO. 496 OF 2018

Babaso Bhausahab Madake

....Applicant

Vs.

The State of Maharashtra

....Respondent.

Mr. W.N. Samlewale for the Applicant.

Mr. A.R. Patil APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 11th SEPTEMBER, 2018.

P.C.:-

This is an Application for suspension of sentence and releasing the Applicant on bail.

2 Heard the learned counsel appearing for the Applicant and the learned APP. Perused the record.

3 The Applicant is convicted under Sections 279, 337 of the Indian Penal Code and under Section 184 of the Motor Vehicles Act and is sentenced to suffer simple imprisonment for a period of one month and to pay total fine amount of Rs.3,000/-, in default of which to further suffer prescribed sentence by the Chief Judicial Magistrate, Sangli, in S.C.C. No. 2022 of 2001 by its Judgment and Order dated

6th June, 2013.

4 The Criminal Appeal No. 144 of 2015, preferred by the Applicant, has been dismissed by the learned Additional Sessions Judge, Sangli by its Judgment and Order dated 10th August, 2018.

5 The learned counsel for the Applicant submitted that, the Applicant has already deposited a fine amount of Rs.3,000/-. He further submitted that, the Applicant has been released on bail under Section 389 (3) of the Code of Criminal Procedure, by the learned Appellate Court.

6 As the maximum sentence imposed upon the Applicant is one month and the possibility of hearing of the Revision on its own merits in near future is remote, I am inclined to release the Applicant on bail.

Hence the following order-

- a) The substantive sentence imposed upon the Applicant is suspended during the pendency of the present Revision Application.
- b) During the pendency of the Revision, the Applicant be released on bail on his furnishing PR bond of Rs.15,000/- with one or two local sureties

in the like amount.

7 Application is allowed in the aforesaid terms.

All the concerned to act on the basis of an authenticated copy of this Order.

(A.S. GADKARI, J.)

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Date: 2018.09.19 16:29:57
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