

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.518 OF 2017
IN
CRIMINAL REVISION APPLICATION NO.528 OF 2017

Pradeep Madhusudan Dongare, Age 57 years,
Occ. Teacher, R/o. Shri Krishna Complex,
S.No.26A/2B, C-8, Sasanenagar, Hadapsar,
Pune-411 028.

Applicant

versus

1. The State of Maharashtra.
2. The Senior Police Inspector, Shivaji Nagar
Police Station

Respondents

Mr. Aniket Gawand for applicant.
Mrs. M.R. Tidke, APP, for State.

CORAM : PRAKASH D. NAIK, J.
DATE : 12th February 2018

PC :

1. This is an application for suspension of sentence and grant of bail.

2. The applicant is convicted vide judgment and order dated 10th January 2011 by the Court of Additional Chief Judicial Magistrate, Pune. The conviction was under Section 420 of Indian Penal Code. He was sentenced to suffer rigorous imprisonment for one year. The applicant filed an appeal before the Sessions Court, Pune, which was partly allowed vide judgment and order dated 4th August 2017. Although the conviction was confirmed, the sentence was reduced to six months.

3. The dispute relates to delivery of goods in respect to which cheques were issued by the applicant, which were dishonoured. Learned APP submitted that there is concurrent findings of two Courts and no interference is called for.

4. The applicant was on bail during trial and also during pendency of the appeal. Considering the aforesaid circumstances, a case for suspension of sentence is made out. Hence, I pass following order :

ORDER

(i) The sentence of imprisonment awarded by the Court of Additional Chief Judicial Magistrate, Pune vide judgment and order dated 10th January 2011, which was subsequently reduced by the Court of Additional Sessions Judge, Pune vide judgment and order dated 4th August 2017 passed in Criminal Appeal No.48 of 2011, is suspended during pendency of Criminal Revision Application no.528 of 2017 and the applicant is directed to be released on bail on furnishing PR bond in the sum of Rs.15,000/- with one or more sureties in the like amount;

(ii) Criminal Application No.518 of 2017 is disposed of.

(PRAKASH D. NAIK, J.)

MST