

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

**CRIMINAL APPLICATION No.570 OF 2018
IN
CRIMINAL REVISION APPLICATION NO.596 OF 2018**

WITH

**CRIMINAL APPLICATION NO.571 OF 2018
IN
CRIMINAL REVISION APPLICATION NO.596 OF 2018**

Minu Ramesh Rawat

... Applicant

Vs.

The State of Maharashtra & anr.

... Respondents

Mr.Karan Bhosale with Ali Bubere I/bv R.J. Rahod for Applicant
Ms.Rutuja Ambekar, APP, for the Respondent – State

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: NOVEMBER 2, 2018

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. This is an application for suspension of the impugned conviction and sentence dated 7.8.2015 passed by the learned Metropolitan Magistrate, Court Np.30, Kurla, Mumbai, in C.C. No.709/SS/2014 by which the applicant/accused is sentenced to suffer S.I. for one month and pay a compensation of Rs.3 lakhs to

the complainant and in default, to suffer S.I. for 15 days. This order was challenged by her in Criminal Appeal No.818 of 2015 and the said Appeal was dismissed on 31.10.2018 by the learned Additional Sessions Judge, City Civil and Sessions Court, Greater Mumbai and the sentence imposed by the learned Metropolitan Magistrate is confirmed.

3. The learned Counsel for the applicant / accused submits on 31.10.2018, the applicant/accused was taken into custody. However, she was on bail throughout the trial and appeal. He submits that the applicant/accused has already deposited Rs.25,000/- and is ready to deposit the remaining Rs.2,75,000/- in the Court.

4. The learned Prosecutor opposes the application.

5. Heard. In view of the submissions made by the learned Counsel and considering that the offence is bailable, the application is allowed on the following terms:

- i) The impugned judgement and order dated 7.8.2015 in CC No.709/SS/2014 by the learned trial Judge is suspended pending revision.

ii) The applicant/accused shall deposit the remaining amount of Rs.2,75,000/- on or before 7.12.2018 in the Court of the learned Metropolitan Magistrate.

iii) The applicant/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount.

iv) Provisionally, the applicant is permitted to be released on cash bail of Rs.15,000/- till the applicant furnishes surety in the like amount by 7th December, 2018.

v) The applicant/accused shall not commit any such offences in future.

6. Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)