

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

CRIMINAL REVISION APPLICATION NO.599 OF 2018

Uttam alias Gotu Shvaji Chaure

... Applicant

Vs.

State of Maharashtra

... Respondent

Ms.Utkarsha Mane for the Applicant

Ms.Veera Shinde, APP, for the Respondent – State

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: DECEMBER 4, 2018

P.C.:

1. In this Revision Application, the order of conviction passed by the learned J.M.F.C., Kalwan on 23.3.2015 and also the order dated 9.10.2018 passed by the learned Additional Sessions Judge in Appeal No.139 of 2015 confirming the said conviction, are challenged. The applicant/accused is convicted for a period of 7 months under section 324 read with section 34 of the Indian Penal Code and is sentenced to suffer R.I. for 7 months and fine of Rs.300/- and in default, to suffer 1 month S.I.

2. The learned Counsel for the applicant/accused submits that the applicant/accused after confirmation of the sentence by the Sessions Court is taken in custody on the same day i.e., on 9.10.2018 and since then, he is inside. The learned Counsel submits that it is a bailable offence and the applicant/accused was on bail throughout the trial and so also during the period of appeal. She submits that he will be available before this Court whenever required. She prays for bail and suspension of sentence.

3. Learned Prosecutor submits to the orders of the Court.

4. In view of the submissions of the learned Counsel, the application is allowed on the following terms:

i) The applicant-accused shall be released on furnishing cash bail in the sum of Rs.15,000/- (Rupees Fifteen Thousand only).

ii) The applicant-accused shall attend on all the Court dates;

5. Criminal Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)