

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 591 OF 2018
IN
REVISION APPLICATION No. 611 OF 2018**

Dhayabhai Manaji Senghani & Anr. ... Applicants

VS.

The State of Maharashtra ... Respondent

Mr. D.N. Salvi a/w. S.D. Salvi, A.S. Raktade, Advocate for the applicants.

Ms. Veera Shinde, APP for the respondent-State.

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: 19th November, 2018

P.C. :

This Application is moved by the applicants for suspension of sentence and bail. The applicants are convicted for the offences punishable under section 304A of Indian Penal Code and are sentenced to suffer R.I. for six months and pay fine of Rs.1,000/-, in default to suffer S.I. for 8 days, by the judgment and order dated 27th August, 2013 passed by the learned Judicial Magistrate First Class, Pune in S.C.C. No. 0437354/2010. The said judgment and order was thereby confirmed in Criminal Appeal No. 457 of 2013 by the Additional Sessions Judge, Pune by its order dated 13th November, 2018.

2. The learned counsel for the applicants submitted that both the applicants were on bail through out the trial and Appeal and are now taken in prison on 13th April, 2018. The applicants do not have criminal record. They have good case on merits.

3. Learned APP submits to the order of the Court.

4. The offence is bailable. In view of the submissions and the facts of the case, the following order is passed:

- (i) Application is allowed;
- (ii) The sentence of conviction is suspended;
- (iii) The applicants/accused shall be released on bail on furnishing fresh bail Bond of Rs.10,000/- each before the Judicial Magistrate First Class, Pune with one or two sureties in the like amount;
- (iv) The applicants/accused shall not jump the bail;
- (v) The applicants/accused shall furnish their permanent address and contact numbers to the Investigating officer;
- (vi) The applicants shall make themselves available at the

time of hearing of Revision Application.

5. Criminal Application is disposed of.
6. Parties to act upon the authenticated copy of the order.

(MRIDULA BHATKAR, J.)