

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

**CRIMINAL APPLICATION NO.643 OF 2017  
IN  
CRIMINAL REVISION APPLICATION NO.650 OF 2017**

|                          |               |
|--------------------------|---------------|
| Narayan Eknath Chavan    | .. Applicant  |
| <b>Vs.</b>               |               |
| The State of Maharashtra | .. Respondent |

.....  
Mr.abhaykumar Apte, Advocate for the Applicant.  
Mr.Rajan Salvi, APP for the Respondent - State.  
.....

**CORAM : PRAKASH D. NAIK, J.**

**DATED : JANUARY 5, 2018.**

**P.C. :**

This is an application for suspension of sentence and grant of bail pending the revision application. The applicant has been convicted for an offence punishable under Section 420 of Indian Penal Code vide judgment and order dated 29<sup>th</sup> April, 2015, passed by the learned JMFC 5<sup>th</sup> Court, Pune in RCC No.6762 of 2011. Thereafter, the applicant had preferred an Appeal challenging the said order of conviction. The appeal has been dismissed vide judgment and order dated 11<sup>th</sup> December, 2017. The case of the complainant is that the accused made false

promises that amount, if deposited by her will be doubled. The complainant, thereafter parted an amount of Rs.15,000/-. The applicant has been sentenced to imprisonment for a period of three years and a fine of Rs.500/-. The learned counsel for the applicant submits that the FIR was lodged belatedly and the evidence lead by prosecution suffers from various flaws. The applicant was on bail during the trial and also during the pendency of the Appeal before the Sessions Court. The arguments advanced by the learned counsel for the applicant and the issues involved in the case will be decided at the stage of final hearing. Hence, the application is required to be allowed.

2                    Hence, I pass the following order:

**:: ORDER ::**

- (i) Pending hearing and final disposal of Criminal Application No.650 of 2017, the sentence imposed vide judgment and order dated 29<sup>th</sup> April, 2015, passed by the learned JMFC 5<sup>th</sup> Court, Pune in RCC No.3762 of 2011, which is confirmed by the Sessions Court vide judgment and order dated 11<sup>th</sup> December, 2017, is

suspended and the applicant is directed to be released on bail by executing PR Bond in the sum of Rs.20,000/- (Rupees Twenty Thousand) with one or two sureties in the like amount;

- (ii) Criminal Application stands disposed of.

**(PRAKASH D. NAIK, J.)**