

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPEAL NO.168/2018

Pranav Premanand Bala

..vs..

State of Mah., thr. PSO PS Aheri, Gadchiroli

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

.....
Shri V.N. Morande, Counsel for the appellant.

Shri Amit Madiwale, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : MARCH 16, 2018.

1. **Heard learned counsel Shri V.N. Morande for the
appellant.**

2. **ADMIT.**

3. **Learned Additional Public Prosecutor Shri Amit
Madiwale waives service on behalf of the State.**

Criminal Application (APPA) No.244/2018

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

2. **Heard learned counsel Shri V.N. Morande for the
applicant/appellant and learned Additional Public Prosecutor Shri
Amit Madiwale for the State. Also, perused impugned judgment and
order passed by learned Judge of the Court below.**

3. Along with the applicant/appellant, 5 other persons were charged for the offences punishable under Sections 143, 147, 148, 149, 307, and 353 of the Indian Penal Code and under Sections 184, 119, and 130 read with Section 177 of the Motor Vehicles Act and under Section 65(e) of the Maharashtra Prohibition Act.

4. Except the applicant/appellant, all the persons are acquitted of all the charges. Even, applicant/appellant is also acquitted of the offences punishable under Sections 143, 147, 148, and 149 of the Indian Penal Code and under Section 65(e) of the Maharashtra Prohibition Act.

5. In short, according to the prosecution, the applicant, who was driver of vehicle, when “Nakabandi” was in operation, drove vehicle in such a manner and gave dash to persons who were enforcing the law with an intention to kill them.

6. Learned Additional Public Prosecutor Shri Amit Madiwale for the State, submits that nobody was injured in the incident.

7. The applicant was on bail and at no point of time he has mis-used the liberty granted to him in his favour. In that view of the matter, I pass the following order:

ORDER

(a) The criminal application is allowed.

(b) Substantive jail sentence imposed upon the

applicant/appellant by learned Additional Sessions Judge, Gadchiroli in Sessions Case No.37/2012 shall remain suspended during pendency of the present appeal.

(c) Applicant/appellant Pranav Premanand Bala, be released on bail on he executing a P.R. Bond in the sum of Rs.10,000/- with two solvent sureties of the like amount.

(d) The applicant/appellant shall not be released from jail unless entire fine amount is paid before the Court below.

(e) The applicant/appellant to remain personally present at the time of final hearing of the appeal.

(f) With this, the criminal application is allowed and disposed of.

JUDGE

!! BRW !!

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