

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 132 OF 2019
IN
CRIMINAL APPEAL NO. 24 OF 2019

NILESH BABAL MATKAR, PRESENTLY AT
JUDICIAL CUSTODY AT CENTRAL JAIL,
COLVALE.

... Applicant

Versus

STATE OF GOA, THR. THE POLICE
INSPECTOR, OFFICER IN-CHARGE,
PONDA POLICE STATION, PONDA AND
ANR.

... Respondents

Shri Rohan Pandurang Desai, Advocate for the applicant.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 2nd May 2019

P.C.:

Heard Shri R. Desai, learned Advocate for the applicant who contends that the applicant was throughout on bail till his conviction on 25/04/2019 where he has been sentenced to undergo imprisonment for five years and to pay a fine of ₹10,000/- for the offence punishable under Sections 376 r/w. 511 IPC amongst others. He therefore seeks the suspension of the sentence also on the premise that he had deposited the fine amount of ₹10,000/- before the learned Additional Sessions Judge, Panaji and prays for his release on bail.

2. Considering that the applicant was throughout on bail as per the contention of Shri Desai, learned Advocate and having exercised the power conferred on this Court under Section 389 Cr.PC. the impugned judgment and sentence is suspended and the applicant is ordered to be enlarged on bail upon execution of a personal bond in the amount of ₹50,000/- (Rupees Fifty Thousand only) and one local surety in coextensive amount to the satisfaction of the learned Additional Sessions Judge. The application accordingly stands disposed off.

3. The parties to act on the authenticated copy of this order.

NUTAN D. SARDESSAI, J.

mv