

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

**CRIMINAL APPLICATION No. 200 OF 2019
IN
CRIMINAL REVISION APPLICATION No. 198 OF 2019**

Kallappa Appanna Birajdar

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.Karan L. Jain for the Applicant.

Mrs. Veera Shinde, APP for the Respondent-State.

**CORAM : MRS. MRIDULA BHATKAR, J.
DATE : 04 APRIL 2019**

P.C.:

1. Upon urgent mentioning, taken on production board.
2. This Criminal Application is moved by the applicant/accused for suspension of the sentence and also for bail. By the judgment and order dated 24.11.2017 passed by the learned Judicial Magistrate First Class, (Court No. 10), Solapur in R.C.C. No.337 of 2010, the applicant/accused was convicted for the offence punishable under section 379 of the Indian Penal Code and was sentenced to suffer R.I. for one year and directed to pay a fine of Rs. 1,000/- and in default to suffer further S.I. for two months.

The said judgment and order was confirmed by the learned Additional Sessions Judge, Solapur in Criminal Appeal No.110 of 2017 by the judgment and order dated 27.03.2019.

3. The learned Counsel for the applicant/accused submitted that the applicant/accused was taken in custody on the same day. Further, the applicant/accused is a senior citizen. The learned Counsel, on instructions, submitted that the applicant/accused does not have any criminal record. Hence, the learned Counsel prays that sentence be suspended and bail be granted to the applicant/accused.

4. Learned Public Prosecutor is present and submits to the orders of the Court.

5. In view of the submissions of the learned Counsel and also as there is no chance that the Revision Application will be heard in near future, the application is allowed on the following terms:

(i) The impugned sentence is suspended till the hearing of the Criminal Revision Application;

(ii) The applicant/accused shall be released on bail upon furnishing a P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;

(iii) The applicant/accused shall make himself available at the time of hearing of the Criminal Revision Application;

(iv) The applicant/accused shall not jump the bail.

6. Criminal Application stands disposed of accordingly.
7. Parties to act upon an authenticated copy of this order.
8. List Criminal Revision Application on 3rd September, 2019.

(MRIDULA BHATKAR, J.)