

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 277 OF 2019
IN
CRIMINAL REVISION APPLICATION NO. 272 OF 2019

Dilip Shrishail Pujari ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Vivek Hiralal Kyadal, for the Applicant.

Mr. Arfan Sait, APP for the State/Respondent.

CORAM: N. J. JAMADAR, J.

DATED: 17th MAY, 2019

(Vacation Court)

PC:-

1. This is an application for suspension of sentence and releasing the applicant on bail during the pendency of the revision application.

2. The applicant was convicted for the offences punishable under Section 279 and 338 of Indian Penal Code and sentenced to suffer simple imprisonment for six months and pay fine of Rs.1,000/-, on each count, with default stipulation, in Summary Criminal Case No.436 of 2006 by the learned Judicial Magistrate, First Class, Miraj, by judgment and order dated 27th February, 2013. Criminal Appeal No.75 of 2013 preferred by the applicant came to be

partly allowed and the applicant came to be acquitted of the offence punishable under Section 338 of the Indian Penal Code. However, the conviction and sentence for the offence punishable under Section 279 of Indian Penal Code came to be upheld by the learned Additional Sessions Judge, Sangli, by judgment and order dated 4th May, 2019.

3. It is submitted that pursuant to the said order of Appellate Court, the applicant has surrendered to his bail and has since been undergoing the sentence.

4. It is further submitted that the applicant was on bail during the pendency of the proceedings before the Trial Court and the Appellate Court.

5. Having regard to the quantum of the punishment and the situation in life of the applicant, the substantive sentence imposed by the learned JMFC for the offence punishable under Section 279 of IPC by judgment and order dated 27th February, 2013, and confirmed by the Appellate Court by judgment and order dated 4th May, 2019, is hereby suspended during the pendency of this revision petition, and the applicant be released on bail on furnishing a PR Bond of Rs.15,000/- with a surety in the like amount.

- 6.** The application stands disposed of.
- 7.** All concerned to act on an authenticated copy of this order.

[N. J. JAMADAR, J.]