

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 38 OF 2019
IN
CRIMINAL REVISION APPLICATION (St.) No. 37 OF 2019**

Mahesh Arun Jadhav ... Applicant
vs.
The State of Maharashtra ... Respondent

Mr. Kuldeep U. Nikam, Advocate for the applicant.
Mr. Vinod Chate, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 21st January, 2019**

P.C. :

Upon mentioning, taken on production board.

2. The Criminal Application is moved by the applicant/accused for suspension of the impugned judgement and conviction dated 16th July, 2014 passed by the learned Judicial Magistrate First Class, Igatpuri and also for bail pending the Criminal Revision Application. The applicant/accused was convicted by order dated 16th July, 2014 passed by the learned Judicial Magistrate, First Class, Igatpuri, District Nashik in S.C.C. No. 418 of 2011 for the offences punishable under section 279, 337 of Indian Penal Code and Section 184 of Motor Vehicles Act. For the offences under

sections 279 and 337 of Indian Penal Code, the applicant was sentenced to suffer simple imprisonment for three months and to pay fine of Rs.500/-. For the offences under section 184 of Motor Vehicles Act, he is sentenced to pay fine of Rs.500/- and in default to suffer five days simple imprisonment. The said order was challenged by way of filing Criminal Appeal No. 137 of 2014, which was dismissed by the learned Additional Sessions Judge-3, Nashik by order dated 26th September, 2018.

3. The learned Counsel for the applicant/accused submitted that the applicant/accused has a good case on merits. **It is a bailable offence.** Further, the applicant/accused was on bail throughout the trial and also during the appeal.

4. Learned 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 sentence is suspended till the hearing of Criminal Revision Application;

- (ii) The applicant/accused shall be released on bail upon furnishing a P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;
- (iii) The applicant/accused shall not jump the bail
- iv) The applicant/accused shall make himself available on all the Court dates.

6. Criminal Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)