

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

**CRIMINAL APPLICATION NO.82 OF 2019
IN
CRIMINAL REVISION APPLICATION NO.60 OF 2019**

Vinod Laxman Pawar

... Applicants

Vs.

The State of Maharashtra

... Respondent

Mr.V.V. Phatate for the Applicants

Ms.Veera Shinde, APP, for the Respondent – State

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: FEBRUARY 6, 2019

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. The applicants/accused have challenged the order dated 5.9.2013 passed by the learned JMFC, Solapur in RCC No.590 of 2004, whereby the applicant is convicted for the offences under sections 417, 419, 465 and 471 of the Indian Penal Code. The maximum sentence awarded is 6 months R.I. with fine of Rs.500/- and fine amount. The said order was challenged in Criminal Appeal No.124 of 2013 which was partly allowed by the learned

Sessions Judge, Solapur on 2.2.2019 and the conviction under section 419 of the Indian Penal Code was set aside. As the conviction under section 419 is set aside the conviction under the remaining sections is maintained.

3. The learned Counsel for the applicant/accused submits that the applicant/accused was on bail throughout the trial and also during the appeal period. The present revision application will take considerable time to be finally head. He further submitted that the applicant/accused undertake that he shall be available at the time of hearing of this Revision application. Hence, he prays that the applicant/accused be bailed out and the impugned conviction and sentence be suspended, pending revision.

4. Learned Prosecutor submits to the orders of the Court.

5. In view of the facts and circumstances and submissions of the learned Counsel, the following order is passed:

- i) The application for bail and suspension of sentence is allowed. The impugned judgement and order of conviction dated 2.2.2019 by the learned Sessions Judge, Solapur is suspended, pending revision application.

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

iv) The applicant/accused shall make himself available at the hearing the revision application.

v) The Revision application be listed on 16.4.2019.

6. Criminal application No.82 of 2019 is disposed of accordingly.

(MRIDULA BHATKAR, J.)