

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

**CRIMINAL APPLICATION No. 87 OF 2019
IN
CRIMINAL REVISION APPLICATION ST. No. 83 OF 2019**

Shri.Mularamji Chenaramji Choudhari ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr.Amitkumar D. Sale for the Applicant.
Mr.A.R.Patil, APP for the Respondent-State.

**CORAM : MRS. MRIDULA BHATKAR, J.
DATE : 14 MARCH 2019**

P.C.:

1. This Criminal Application is moved by the applicant/accused for suspension of sentence and for bail. The applicant/accused is convicted for the offences punishable under sections 279, 338, 337 and 427 of the Indian Penal Code and under section 184 of the Motor Vehicles Act and maximum sentence of six months is awarded to the applicant/accused with fine, which comes to Rs. 6,500/- by judgment and order dated 30.11.2012 passed by the learned Judicial Magistrate First Class, Sangli in Summary Criminal Case No. 1134 of 2010. The said order was challenged in

Criminal Appeal No. 334 of 2012. The said Appeal was dismissed by judgment and order dated 24.10.2018 passed by the learned Additional Sessions Judge, Sangli and the order of the learned Magistrate was confirmed. Hence, this application for bail and suspension of sentence.

2. The learned counsel for the applicant/accused submitted that the offences are bailable. The applicant/accused was on bail throughout the trial and appeal. He further submitted that the applicant/accused is having a good case on merits and, therefore, he prayed that the sentence be suspended and bail be granted.

3. The learned APP submitted to the order passed by this Court.

4. In view of the submissions of the learned counsel and considering the nature of the offence, 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 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 not jump the bail;
 - iv) The applicant/accused shall make himself available at the time of hearing of Revision Application.
- 5. Criminal Application stands disposed of accordingly.
 - 6. Place the Criminal Revision Application on 24.06.2019.

(MRIDULA BHATKAR, J.)