

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

**CRIMINAL APPLICATION NO. 88 OF 2019
IN
CRIMINAL REVISION APPLICATION No. 72 OF 2019**

Mr.Pandu Rupla Rathod

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.Balwant V.Salunkhe for the Applicant.

Mr. A.R.Patil, APP for the Respondent -State.

**CORAM : MRS. MRIDULA BHATKAR, J.
DATE : 12 FEBRUARY 2019**

P.C.:

1. Upon urgent mentioning, taken on production board.
2. The applicant/accused is convicted for the offence punishable under section 3 Z(2) read with 3 Z(2) (6) of Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 and is sentenced to suffer S.I. for a period of one year and pay fine of Rs. 2,000/-, in default to suffer S.I. for a period of one month by the judgment and order dated 24th August, 2016 passed by the learned Metropolitan Magistrate, 41st Court, Shindewadi, Dadar, Mumbai. The learned Addl. Sessions Judge,

City Civil & Sessions Court, Gr. Bombay by the judgment and order dated 9th January, 2019 dismissed the Criminal Appeal No. 812 of 2016 and confirmed the order passed by the learned Magistrate. Hence, this revision and application for bail and suspension of sentence.

3. The learned counsel for the applicant/accused submits that the applicant/accused was on bail throughout the trial and appeal period. He further submits that the applicant/accused has already paid a fine of Rs. 2000/-. Hence, he prays that the sentence be suspended and bail be granted to the applicant/accused.

4. The learned prosecutor submits to the orders of the Court.

5. Considered the submissions and the nature of the offence. In view thereof, the following order is passed:

ORDER

- i) The impugned conviction and sentence is suspended, pending revision application;
- ii) The applicant/accused shall be released on bail upon furnishing bail 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.
- 6. Criminal Application is disposed of on the above terms.
- 7. Parties to act upon an authenticated copy of this order.

(MRIDULA BHATKAR, J.)