

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 100 OF 2019
WITH
CRIMINAL APPLICATION NO. 101 OF 2019
IN
CRIMINAL REVISION APPLICATION NO. 99 OF 2019**

Rajendra Ramhari Pawar ... Applicant

VS.

The State of Maharashtra ... Respondent

Ms. Anushka A. Shreshtha, Advocate for the applicant.

Mrs. Veera Shinde, APP for the respondent/State.

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: 10th April, 2019

P.C. :

Upon urgent mentioning, taken on production board.

2. These Criminal Applications are moved by the applicant/accused for suspension of sentence and for bail pending the Criminal Revision Application. The applicant/accused was convicted by the judgment and order dated 10th April, 2018 passed by the learned Additional Chief Metropolitan Magistrate, 11th Court, Kurla, Mumbai in C.C. No. 348/PS/2009 for the offences punishable under sections 279 and 338 of Indian Penal Code and is sentenced to suffer maximum rigorous imprisonment for 6

months and to pay fine of Rs.1,000/-. He is also convicted under section 134(a) and (b) r/w. section 187 of Motor Vehicle Act. The said judgment and order was confirmed in Criminal Appeal No. 428 of 2018 by judgment and order dated 12th February, 2019 passed by the learned Additional Sessions Judge & Special Judge, Greater Mumbai.

3. The learned Counsel for the applicant/accused submitted has no criminal record. 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 applications are allowed on the following terms:

- i) The sentence is suspended, pending this 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 make himself available on all the Court dates.

(v) The applicant/accused shall not indulge into any criminal activity;

6. Criminal Applications stands disposed of accordingly.

7. Parties to act upon the authenticated copy of this order.

(MRIDULA BHATKAR, J.)