

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 128 OF 2019
IN
CRIMINAL REVISION APPLICATION (ST.) No. 152 OF 2019

Rajendra Devappa Butale ... Applicant
vs.
The State of Maharashtra ... Respondent

Mr. Anand S. Patil, Advocate for the applicant.
Mr. A.R. Patil, APP for the respondent/State.

CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 20th March, 2019

P.C. :

The Criminal Application is moved by the applicant/accused for suspension of sentence and also for bail pending the Criminal Revision Application. The applicant/accused was convicted by the judgment and order dated 23rd February, 2011 passed by the learned Judicial Magistrate First Class, Gargoti, District Kolhapur for the offences punishable under sections 304A and 279 of Indian Penal Code and under section 187 of Motor Vehicles Act and the maximum sentence given is simple imprisonment for 6 months by Judicial Magistrate First Class. The said order was challenged by

way of Criminal Appeal No. 74 of 2011, which was dismissed by the learned Additional Sessions Judge, Kolhapur by judgment and order dated 14th August, 2018.

2. The learned Counsel for the applicant/accused submitted that it is a bailable offence. Further, the applicant/accused was on bail throughout the trial and also during the appeal. Hence, he prays for suspension of sentence and also for bail.

3. Learned Prosecutor is present and submits to the orders of the Court.

4. 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 impugned sentence is suspended till the hearing of 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 indulge into any criminal activity, while on bail;
- iv) The applicant/accused shall not jump the bail;
- iv) The applicant/accused shall make himself available on all the Court dates.

5. Criminal Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)