

Vidya Amin

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

**CRIMINAL APPLICATION No. 159 OF 2019
IN
CRIMINAL REVISION APPLICATION No. 166 OF 2019
WITH
CRIMINAL REVISION APPLICATION No. 166 OF 2019**

Amar Gajanan Wankhede ... Applicant
VS.
The State of Maharashtra & Anr. ... Respondents

Mr. P.M. Bopardikar, Advocate for the applicant.
Mr. A.R. Patil, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 27th March, 2019**

P.C. :

Upon mentioning, taken on production board.

2. 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 is convicted for the offences punishable under sections 304A and 279 of Indian Penal Code and is sentenced to suffer S.I. for three months and to pay fine of Rs.5,000/-, i/d. to suffer S.I. for one month. The applicant is also held guilty under section 184 of Motor Vehicles Act and is sentenced to suffer S.I. for three months and fine by the judgment

and order dated 5th May, 2018 passed by the learned Metropolitan Magistrate, 27th Court, Mulund, Mumbai. The said order was confirmed by the judgment and order dated 19th March, 2019 passed by the learned Additional Sessions Judge, Greater Bombay by dismissing Criminal Appeal No. 359 of 2018. Hence this Application.

3. The learned Counsel for the applicant/accused submitted the applicant/accused was taken in custody on 19th March, 2019. He submitted that all the offences are bailable. 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 Application is allowed on the following terms:

- i) The impugned 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.10,000/- with one or two sureties in the like amount;
- iii) The applicant/accused shall not jump the bail;
- iv) The applicant/accused shall not indulge into any criminal activity;
- v) The applicant/accused shall make himself available on all the Court dates.

- 6. Criminal Application stands disposed of accordingly.
- 7. List the Criminal Revision Application for admission on 25th July, 2019.
- 8. Parties to act upon the authenticated copy of this order.

(MRIDULA BHATKAR, J.)