

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 291 OF 2019
IN
CRIMINAL REVISION APPLICATION NO. 62 OF 2019**

Amar Bharat Shinde

.. Applicant

Vs.

The State of Maharashtra

.. Respondent

Ms.Kusum Mishra GR for applicant.

Ms.M.H. Mhatre, APP for respondent-State.

CORAM : N.J. JAMADAR, J.

DATE : 27TH NOVEMBER 2019

P.C.

1. Heard the learned counsel for the applicant and the learned APP for State.

2. The applicant, who has been convicted for the offence punishable under section 379 of the Indian Penal Code, 1860 and sentenced to suffer simple imprisonment for three years by the learned Judicial Magistrate, First Class, Railway Court, Daund, by judgment and order dated 21st February 2018, which has been confirmed by the judgment and order dated 25th October 2018 passed by the learned Session Judge, Solapur in Criminal Appeal No.35 of 2018, has preferred this revision application assailing the legality, propriety and correctness of the impugned judgments and orders.

3. The applicant has preferred this application for suspension of sentence and enlarging him on bail during the pendency of this revision application. The applicant has been taken in custody in execution of the

conviction warrant.

4. The applicant was on bail during the pendency of the trial and the appeal, before the appellate court. It is unlikely that the revision application can be heard and decided finally in immediate future.

5. Having regard to the nature of the offence, the sentence imposed upon the applicant and his situation in life, the applicant deserves to be released on bail during the pendency of this revision application. Hence the following order :

ORDER

(i) The application stands allowed.

(ii) The sentence imposed by the learned Judicial Magistrate, First Class, Railway Court, Daund, by judgment and order dated 21st February 2018 in Regular Criminal Case No.137 of 2014 and confirmed by the learned Additional Sessions Judge, Solapur, by the judgment and order dated 25th October 2018 in Criminal Appeal No. 35 of 2018 hereby stands suspended till disposal of this revision application.

(iii) The applicant be released on bail on furnishing P.R. bond in the sum of Rs.10,000/- and a surety in the like amount to the satisfaction of the learned Judicial Magistrate,

First, Class, Railway Court, Daund.

(iv) The application stands disposed of.

(v) All concerned to act on an authenticated copy of this order.

[N.J. JAMADAR, J.]