

Dond

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

**CRIMINAL APPLICATION NO. 307 OF 2019
IN
REVISION APPLICATION NO. 301 OF 2019**

Raju @ Rajendra Pandurang More
Vs

..Applicant

The State of Maharashtra .

..Respondents

Mr. Sandeep Mishra a/w P. Mishra for the Applicant.
Mr. R.M. Pethe, APP for State.

**CORAM : A.S.GADKARI, J.
DATE : 17th June 2019.**

P.C.:

1] This is an application for suspension of sentence and for releasing the applicant on bail.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the record.

3] The applicant is convicted under Section 420 and 411 of the Indian Penal Code and was sentenced to suffer simple imprisonment for six months and to pay fine of Rs.1000/-, by the learned Judicial Magistrate First Class, Wada, District Thane in R.C.C. No.94 of 2015 by its Judgment and Order dated 30.5.2016.

4] Criminal Appeal bearing No.103 of 2016 preferred by the applicant has been dismissed by the learned Additional Sessions Judge, Thane by its Order dated 26.4.2019.

5] As the maximum sentence imposed upon the applicant is six months of simple imprisonment and the possibility of present Revision being heard on its own merits in near future is remote, I am inclined to suspend the substantive sentence imposed upon the applicant and release him on bail.

Hence the following Order:

(i) During the pendency of the present Revision, the substantive sentence imposed upon the applicant is suspended.

(ii) During the pendency of the Revision, the applicant be released on bail on his furnishing PR bond in the sum of Rs.10,000/- with one or two local sureties in the like amount.

(iii) The procedure for the bail be completed before the Trial Court i.e. Judicial Magistrate First Class, Wada, District Thane.

(iv) After his release from jail, the applicant shall attend the Court of learned Judicial Magistrate, Wada, District Thane on every 1st Monday of the third month between 11.00 a.m to 2.00 p.m. and to mark his

presence. If the 1st Monday of the said month falls on a holiday and/or non Court working day, the applicant shall mark his presence immediately on the next working day.

6] Application is allowed in the aforesaid terms.

All the concerned to act on an authenticated copy of this Order.

(A.S.GADKARI, J.)