

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

**CRIMINAL APPLICATION NO.310 OF 2018
IN
CRIMINAL REVISION APPLICATION NO.334 OF 2018**

Shivaji Laxman Sangle

... Applicant

Vs.

The State of Maharashtra & anr.

... Respondents

Mr.Rakesh Mishra for the Applicant

Mr.Vinod Chate, APP, for the Respondent – State

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: MARCH 19, 2019

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. The Criminal Application is moved by the applicant/accused for suspension of the impugned judgement and conviction and also for bail pending the Criminal Revision Application. The applicant/accused was convicted for the offences punishable under section 406 of the Indian Penal Code by order dated 20.11.2015 passed by the learned Additional Chief Metropolitan Magistrate, 8th Court, Esplanade, Mumbai, in C.C. No.0800593/PW/2013. The

said order was challenged by way of Criminal Appeal No.1056 of 2015, which was dismissed by the learned Sessions Judge, Greater Mumbai by order dated 19.4.2018.

3. The learned Counsel for the applicant/accused submits that the applicant/accused has a good case on merits. He is not taken in custody and was on bail throughout the trial and also during the appeal period.

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 judgment and sentence 20.11.2015 is suspended, pending hearing of the 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 make himself available on all the Court dates.

6. Issue notice to the respondents in the Criminal Revision Application, returnable on 2.7.2019.

7. Criminal Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)