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

**CRIMINAL APPLICATION NO.404 OF 2019
IN
REVISION APPLICATION NO. 390 OF 2019**

Shri Madhav Madhukar Patil

...Applicant.

Versus

The State of Maharashtra

...Respondents

Mr. Prashant Raul for the Applicant.

Mr. Vinod Chate, APP for the State.

CORAM : A.S. GADKARI, J.

DATE : 8th August 2019.

P.C. :-

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

2] The applicant is convicted under Section 498-A of the Indian Penal Code Act and was sentenced to suffer rigorous imprisonment for one year and to pay fine of Rs.5,000/- by the learned Judicial Magistrate First Class, Alibag in Regular Case No.49 of 2008 by its Judgment and Order dated 16th August 2011.

The Criminal Appeal No.124 of 2011 preferred by the

applicant has been dismissed by the learned Additional Sessions Judge-2, Raigad-Alibag by its Judgment and Order dated 1st August 2019.

3] Learned counsel for the applicant submitted that, the applicant has already deposited the fine amount in the Registry of the Trial Court.

As the maximum sentence imposed upon the applicant is one year of rigorous imprisonment and the possibility of present Revision being heard on its own merits in near future is remote, I am inclined to suspend the 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 bail be completed before the Trial Court i.e. Judicial Magistrate First Class, Alibag.
- (iv) After his release from jail, the applicant shall attend the Court of learned Joint Judicial Magistrate First Class, Alibag, District Raigad on

every 1st Monday of every third month between 11.00 a.m and 2.00 p.m. and to mark his presence. If the 1st Monday of the said months falls on holiday and/or non Court working day, the applicant shall mark his presence immediately on next working day.

4] Application is allowed in the aforesaid terms.

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

(A.S.GADKARI, J.)