

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

**CRIMINAL APPLICATION NO. 435 OF 2019
IN
CRIMINAL REVISION APPLICATION NO. 414 OF 2019**

Bhagwat Mugutrao Jadhav	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.J.S. Yadav for Applicant.
Mr.R.M. Pethe, APP for Respondent.

CORAM : A.S. GADKARI, J.

DATE : 23rd August 2019.

P.C. :

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

2] The applicant is convicted under Section 406 and 477(A) of the Indian Penal Code and is sentenced to suffer rigorous imprisonment for one year and to pay total fine amount of Rs.5,000/- by the learned Judicial Magistrate First Class, Vaduj, District Satara, by its Judgment and Order dated 28th September 2006 passed in RCC No. 172 of 2001.

The Criminal Appeal No. 18 of 2010 (Old Criminal Appeal No. 105 of 2006) preferred by the applicant has been turned down by the learned Additional Sessions Judge, Vaduj, by its Judgment and Order dated 16th August 2019.

3] The learned counsel for the applicant submitted that, the applicant has already deposited fine amount in the Registry of the Trial Court. He submitted that, the applicant has surrendered to the Judicial custody on the date of pronouncement of the impugned Judgment and Order passed by the Appellate Court.

4] As the maximum sentence imposed upon the applicant is one year of rigorous imprisonment and the possibility of hearing the Revision Application on its own merits in near future is remote, I am inclined to suspend the sentence imposed upon the applicant and to release him on bail.

5] Hence, following order :

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

ii) During the pendency of the present Revision, the applicant is released on bail on following terms and conditions.

- (a) The applicant be released on bail on his furnishing PR Bond of Rs.10,000/- with one or two local sureties in the like amount.*
- (b) The procedure for bail be complied with before the Trial Court.*
- (c) After his release from jail, the applicant shall attend the trial Court on every first Monday of every third month between 11.00 am to 2.00 pm and mark his presence. If the said Monday comes on a holiday 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.

7] All the concerned to act on the basis of the authenticated copy of this order.

[A.S. GADKARI, J.]