

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APPR) NO.286/2019

IN

CRIMINAL REVISION APPLICATION NO.218/2019

(Sheshrao s/o Rajeram Manerao vs. The State of Maharashtra: Through
PSO Narkhed,)

.....
Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

.....
Mr. C.R. Thakur, Advocate for the applicant
Mr. Amit Chutke, APP for respondent-State

CORAM : MRS.SWAPNA JOSHI, J.

DATED :16.09.2019

By this Application, the applicant prays for suspension of jail sentence and grant of bail. The applicant was convicted for offence punishable u/ss. 420 and 471 r/ws. 34 of the IPC. The applicant was sentenced to suffer RI for one year and eight months and to pay a fine of Rs. 2000/- for offence punishable u/s 420 read with section 34 of IPC in default, suffer further RI for one month. He was sentenced to suffer RI for one year and eight months and to pay a fine of Rs. 2000/- in default, RI for one month, for offence u/s 471 r/ws.34 of IPC.

The Appeal filed by the applicant was dismissed by the learned Addl. Sessions Judge, Nagpur vide order dated 5.9.2019. I have heard Shri C.R.Thakur, learned

counsel for the applicant and Mr. Amit Chutke, learned A.P.P. for the respondent.

The learned Advocate for applicant submits that all throughout, the applicant was on bail and he has not misused the liberty granted to him in any manner. It is further submitted that the applicants have deposited the entire fine amount in the court.

Taking into consideration the nature of allegations against the applicant, also the fact that the applicant was on bail during the trial and the substantive jail sentence was already suspended and also considering that he has not misused the liberty, I am of the view that the applicant is entitled to suspension of jail sentence and grant of bail. Hence the following order:

ORDER:

- 1) Criminal Application No. 286/2019 is allowed.
- 2) The substantive jail sentence imposed against the applicants by the learned Addl. Sessions Judge Nagpur in Criminal Appeal No. 313/2013 dated 05.09.2019 shall remain suspended during the pendency of the present Revision.
- 3) The applicant shall be released on bail by executing fresh bonds of the same amount as in the trial court.
- 4) The learned Judge before whom the bail bonds will be executed shall ensure that before execution of the bail bonds, the entire fine amount is deposited by the applicant.
- 5) The applicants shall remain personally present before

this Court at the time of final hearing of the Revision.

The Application stands disposed of.

CRI.APPR.NO.288/2019

This is an application seeking grant of time to file certified copy of the impugned judgment and order of Addl. Sessions Judge, Nagpur.

For the reasons stated in the application the APPR No.288/2019 is allowed. The applicant is directed to file certified copy of the judgment within a period of one week.

CRI.REVN.NO.218/2019.

Heard.

Admit.

Call R & P

Put up after four weeks.

JUDGE

Sahare