

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

CRIMINAL APPLICATION (APPR) NO.293/2019
IN
CRIMINAL REVISION NO. 103/2019
(Anandrao Godru Kumre vs. State of Maharashtra)

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

Court's or Judge's order

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Mr. A.S. Dhore, Advocate for the applicant
Mr. Amit Chutke, APP for respondent-State
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CORAM : MRS.SWAPNA JOSHI, J.

DATED :25th September, 2019

By this Application, the applicant prays for suspension of jail sentence imposed upon him and grant of bail.

The applicant has challenged the judgment and order dated 28.2.2019 passed in Criminal Appeal No. 4/2008 by learned Addl. Sessions Judge, Kelapur whereby the order of conviction of the applicant passed in Regular Criminal Case No.698/2003 by the learned JMFC has been partially altered and the applicant has been convicted for offence punishable u/s 324 IPC, for allegedly causing hurt to PW1 and PW4.

I have heard Shri A.S.Dhore, learned counsel for the applicant and Mr. Amit Chutke, learned A.P.P. for the respondent.

Learned counsel for the applicant submits that the applicant was on bail all throughout and that he has not misused the liberty granted to him. Moreover he has deposited the fine amount in the trial Court.

Taking into consideration the nature of allegations against the applicant, also the fact that the applicant was on bail all throughout and the substantive jail sentence was already suspended and he was released on bail by the learned trial Judge, 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. 293/2019 is allowed.
- 2) The substantive jail sentence imposed against the applicant by the learned Addl. Sessions Judge, Kelapur in Cri. Appeal No.4/2008 dated 28.02.2019 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.

The Application stands disposed of.

CRI. REVISION NO. 103/2019

Learned counsel for the applicant submits that he would file copies of deposition by the next date.

S.O. after three weeks.

JUDGE

Sahare