

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

CRIMINAL APPLICATION [APPR] NO.301 OF 2019

IN

CRIMINAL REVISION APPLICATION NO.225 OF 2019

[Manohar Bhaskar Dohe and one .vs. State of Maharashtra]

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

Court's or Judge's orders

.....
 Shri M.N. Ali, Advocate for Applicants,
 Shri Amit Chutke, APP for Respondent.

CORAM : MRS. SWAPNA JOSHI, J.

DATED : OCTOBER 04, 2019.

Heard.

The applicants have filed this application for suspension of sentence and grant of bail under section 389 (1) of the Code of Criminal Procedure.

The applicants have been convicted for the offence punishable under Sections 325, 294 read with 34 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for six months and to pay a fine of Rs.3000/- each, in default to suffer simple imprisonment for 40 days each.

The learned advocate for the applicants submits that all throughout the applicants were on bail and had not transgress any condition imposed upon them while releasing them on bail. It is contended that the applicants have deposited the fine amount before the learned trial Court. It is contended that the applicants are thus entitled for bail.

Taking into consideration the nature of allegations against the applicants, also the fact that the applicants were on bail during the trial and the substantive jail sentences were already suspended and the applicants were released on bail by the learned trial Judge and also considering that it would not be possible to take up the hearing of the revision finally by this Court in near future due to pendency of old matters, I am of the view that the applicants are entitled to suspension of jail sentence and grant of bail. Hence the following order :

O R D E R

- 1] Criminal Application No.301/2019 is allowed.
- 2] The substantive jail sentence imposed against the applicants shall remain suspended during the pendency of the present revision.
- 3] The applicants shall be released on bail by executing fresh bonds of the same amount as in the trial court.
- 4] The applicants shall remain personally present before this Court at the time of final hearing of the revision.

Criminal Application stands disposed of.

JUDGE