

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

CRIMINAL REVISION APPLICATION NO.279 OF 2019

[Rinku @ Hitesh s/o Dashrath Bhajipale and others .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 O.W. Gupta, Advocate for the petitioners,
 Ms Shamsi Haider, APP for the respondent-State.

CORAM : MRS. SWAPNA JOSHI, J.

DATED : NOVEMBER 20, 2019.

Heard.

Issue notice before admission to the respondent-State
 made returnable after three weeks.

Ms Shamsi Haider, learned APP, waives service of notice
 on behalf of the respondent-State and seeks time to file reply.

Call for record and proceedings.

Criminal Application (APPR) No.375 of 2019

Heard both the sides. Perused the application.

Applicants have filed this application for suspension of
 sentence and grant of bail.

It is submitted by the learned advocate for the applicants
 that all throughout the applicants were on bail and they have not
 misused the liberty. Learned advocate for the applicants
 submitted that the fine amount is also deposited in the trial court.

Taking into consideration the nature of allegations against the applicants and also the fact that the applicants were all through out on bail during the trial and the substantive jail sentence was 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 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. Steno copy is allowed.

JUDGE