

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

CRIMINAL REVISION APPLICATION NO.302 OF 2019

[Bholasingh s/o Hirasingh Bawari .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 R.K. Tiwari, Advocate for Applicant.

CORAM : MRS. SWAPNA JOSHI, J.

DATED : DECEMBER 18, 2019.

Heard.

Issue notice before admission to the non-applicant made returnable after three weeks.

Shri I.J. Damle, the learned APP, waives service of notice on behalf of the non-applicant and seeks time to file reply.

The learned advocate for the applicant undertakes to tender the copies of the depositions.

Call for record and proceedings.

Criminal Application (APPR) No.412 of 2019

Heard.

Applicant has filed this application for suspension of sentence and grant of bail under section 389 of the Code of Criminal Procedure.

It is submitted by the learned advocate for the applicant that all throughout the applicant was on bail and he has not misused the liberty, so also deposited the fine amount.

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 the applicant was 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 applicant is 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 applicant 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 applicant shall remain personally present before this Court at the time of final hearing of the revision.

Criminal Application stands disposed of.

[MRS. SWAPNA JOSHI, J.]