

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL APPLICATION NO. 22 OF 2020 (APPR)
IN
CRIMINAL REVISION NO. 23 OF 2020

Kaniram Dayaram Nannaware (in jail) and another

vs.

State of Maharashtra

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

Court's or Judge's orders

Shri. Mahesh Rai, counsel for the applicant.
Smt. A. R. Kulkarni, APP for the non-applicant State.

CORAM : MANISH PITALE J.

DATED : 08/09/2020

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. The learned counsel for the applicant in the present case is pressing for suspension of sentence and release of applicants on bail.

3. It is pointed out in that context by the learned counsel for the applicants that one of the reasons they were found guilty in the present case was a confessional statement given by the main accused Bholasingh s/o Hirasingh Bawari, the person who had shot and killed a panther and who stated that the applicants herein were also present. The offences for which the applicants have been found guilty along with

the co-accused pertain to illegal killing of the said animal and sale of its skin, thereby finding the applicants and several accused persons guilty of offences under various provisions of the Wildlife Protection Act, 1972. It is pointed out that the applicants were sentenced for imprisonment of three years under various provisions and they have already undergone about nine months incarceration. It is further pointed out that the aforesaid Bholasingh is an applicant in Criminal Revision No. 302/2019 and that this Court by order dated 18/12/2019, has allowed the application of the said Bholasingh for suspension of sentence and he has been granted bail.

4. Considering the aforesaid material on record and the contentions raised on behalf of the applicants, following order is passed.

(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.

(5) Tag the Criminal Revision No.23/2020
along with **Criminal Revision No.302/2019.**

Criminal application stands disposed of.

JUDGE

KOLHE/P.A.