

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
CRIMINAL APPLICATION NO.34/2020
IN
CRIMINAL REVISION NO. 31/2020
(Niranjan Mahadeo Meshram vs. The 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.M. Tirukh Advocate for the applicant
Mr.I J Damle, APP for respondent-State

CORAM : MRS.SWAPNA JOSHI, J.

DATED : 11th February, 2020

By this Application, the applicant prays for suspension of jail sentence imposed upon him by the learned Additional Sessions Judge, Akot, in Cri. Appeal No. 22/2014 dated 31.01.2020, and grant of bail.

The applicant has been convicted for the offence punishable u/s.509 of the IPC by learned Judicial Magistrate, First Class, the judgment of which came to be partly modified and the applicant has been sentenced to undergo simple imprisonment of three months and to pay a fine of Rs. 3000/- for offence punishable u/s 509 of the IPC, by learned Addl.Sessions Judge, Akot.

I have heard Shri A.M. Tirukh, learned counsel for the applicant and Mr.I.J.Damle, learned A.P.P. for the respondent.

The applicant was on bail during the pendency of trial. Even after the judgment and order of conviction, the learned trial Court

has suspended the jail sentence and the applicant was released on bail.

Taking into consideration the nature of allegations against the applicant, also the fact that the applicant was on bail during the trial as well as appeal, and the substantive jail sentence was already suspended and he was released on bail and the fact that fine amount has already been deposited by the applicant, 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. 34/2020 is allowed.
- 2) The substantive jail sentence imposed against the applicant by the learned Additional Sessions Judge, Akot in Cri. Appeal No.22/2014 dated 31.01.2020 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.

The Application stands disposed of.

REVISION NO. 31/2020.

Issue notice to the respondent, returnable after four weeks.

Mr I.J. Damle, learned APP waives notice on behalf of the State.

JUDGE

Sahare