

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

Criminal Revision Application (REVN) No. 110 of 2020

Babarao S/o Sahadeorao Nagle Vs. State of Maharashtra through Police Station Officer, Police Station Banoda Tq. Warud, Dist. Amravati.

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

Court's or Judge's orders

Mr. P.R. Agrawal, Advocate for the applicant.
Mrs. A.R. Kulkarni, APP for the respondent

CORAM : MANISH PITALE, J.

DATED : NOVEMBER 06, 2020

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. Heard learned counsel for the applicant.

3. This Revision Application challenges judgment and order dated 02/11/2020, passed by the Court of Additional Sessions Judge-2, Amravati, whereby appeal filed by the applicant has been only partly allowed and while maintaining the conviction of the applicant under Section 324 of the Indian Penal Code, the sentence has been reduced from one year to six months simple imprisonment and payment of fine of Rs.1,000/-.

4. Having heard the learned counsel for the applicant, this

Court is of the opinion that grounds are made out for consideration of the challenge raised to the impugned judgment and order. Since it is a short matter, this Court proposes to dispose of the Revision Application at the admission stage itself.

5. Issue notice for final disposal, returnable in six weeks.

Criminal Application (APPR) No. 112 of 2020.

This is an application for suspension of sentence and grant of bail filed on behalf of the revision applicant. Since the sentence imposed on the applicant is reduced by the Appellate Court from one year to six months simple imprisonment with fine of Rs.1,000/-, considering the material on record, this Court is of the opinion that *prima facie* case is made out in his favour by the applicant.

2. Accordingly, application is allowed and sentence is suspended. It is reported that the applicant was taken in custody on 02/11/2020 i.e. date of the impugned judgment and order. The applicant shall be released on bail on the same conditions on which he was granted bail during pendency of the appeal before the Sessions Court.

3. Application stands disposed of.

4. Call for record and proceedings.

JUDGE