

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

CRIMINAL APPLICATION (APPA) NO. 530/2020 IN
CRIMINAL APPEAL NO. 512/2020

Sk. Javed Sk. Azad

-VERSUS-

State of Maharashtra.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri T. M. Malnas, Advocate for appellant/applicant.
Ms. H. Jaipurkar, APP for respondent/State.

CORAM : VINAY JOSHI, J.

DATE : 21.12.2020.

Heard.

2. The appellant/applicant who is convicted by the Special Court for commission of offence under Section 136 of the Electricity Act, 2003 has prayed for suspension of substantive sentence. The Trial Court has imposed punishment to undergo simple imprisonment for one year along with fine of Rs. 2,000/- and imposed the same sentence for the offence punishable under Section 427 of the Indian Penal Code.

2

3. The appellant was on bail during trial and post conviction sentence was suspended. He has also deposited fine amount in Trial Court.

4. The total term of imprisonment is only of one year. It may not be possible that the appeal would come for hearing during that period. Therefore, the execution of substantive sentence needs to be suspended.

5. In view of that, the execution of substantive sentence stands suspended till disposal of appeal. In the meantime, accused is released on bail on his executing of P.R. Bond of Rs. 15,000/- with one surety in the like amount.

6. Application stands disposed of.

JUDGE

Gohane.