

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL REVISION CASE NO.166 OF 2020

ORDER:

This Criminal Revision Case is filed under Sections 397 and 401 of the Code of Criminal Procedure aggrieved by the order dated 21.12.2019 passed in CrI.MP.No.618 of 2019 in CrI.A.No.831 of 2019 on the file of the VIII Additional District & Sessions Judge, Ranga Reddy District at L.B. Nagar, in rejecting the petition filed under Section 389(1) Cr.P.C. seeking suspension of execution of sentence imposed against the petitioner/A-2 in C.C.No.489 of 2018 on the file of the II Metropolitan Magistrate, Cyberabad, Ranga Reddy District at L.B. Nagar.

Learned counsel for the revision petitioner contended that the Court below erred in dismissing the petition without properly appreciating the facts and circumstances of the case. It is further submitted that mere involving in similar type of offences will not disentitle the petitioner for suspension of the sentence in the present case. The Court below ought to have seen that the petitioner is in judicial custody during the time of trial and after imposing the sentence and languishing in jail for a period more than one year and the offence alleged is under Section 379 IPC.

Considering the facts and circumstances of the case, the order dated 21.12.2019 passed in CrI.MP.No.618 of 2019 in CrI.A.No.831 of 2019 on the file of the VIII Additional District & Sessions Judge, Ranga Reddy District at L.B. Nagar, is set aside. The operation of execution of sentence imposed in C.C.No.489 of 2018 on the file of the II Metropolitan Magistrate, Cyberabad,

Ranga Reddy District at L.B. Nagar is suspended and the petitioner/A-2 shall be enlarged on bail on his executing a personal bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the trial Court. The petitioner/A-2 is further directed to appear before the Court below on each and every date of hearing till the conclusion of trial.

With the above direction, this Criminal Revision Case is disposed of.

Miscellaneous applications, if any, pending shall stand closed.

11th February 2019
RRB

(G. SRI DEVI, J)

