

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

916 CRIMINAL APPLICATION NO.3128 OF 2021 IN
REVN/194 OF 2021

MOHD. JALIL MOHD. PASHUMIYA
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Zia Ul Mustafa
APP for Respondents/State : Mr. S.D. Ghayal
...

CORAM : M.G. SEWLIKAR, J.
DATE : 15th December, 2021

PC.:-

Heard.

2. Issue notice to the respondent-state. Learned APP waives notice.
3. Applicant is convicted for offence punishable under Section 279, 304-A of the I.P.C. for driving the bus in high speed. Learned counsel Shri Zia submits that mere driving in high speed does not amount to driving rashly and negligently. In view of this, following order is passed:

ORDER

- I) Criminal Application is allowed.
- II) Substantive sentence is suspended till the disposal of the revision.

- III) Applicant be released on PR bond of Rs.15,000/- with one solvent surety in the like amount .
- IV) Bail in the trial Court.

[M.G. SEWLIKAR, J.]