

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

**CRIMINAL APPLICATION NO. 2505 OF 2022
IN CRIMINAL REVISION APPLICATION NO. 230 OF 2022**

Vinayak Nanuram Patil

.. Applicant

Versus

The State of Maharashtra
Through Police Station

.. Respondent

Mr. A. J. Patil, Advocate for the Applicant.

Mrs. G. L. Deshpande, APP for Respondent.

CORAM : BHARAT P. DESHPANDE, J.

DATED : 05th AUGUST, 2022.

PER COURT:-

1. Heard.
2. This is an application for suspension of sentence and grant of bail.
3. The applicant was convicted by the learned JMFC, Pachora, District Jalgaon in Summary Criminal Case No. 452/2010 vide judgment dated 20.03.2013 for the offence punishable under Sections 304-A, 279 of the Indian Penal Code (for short "IPC") and Sections 184 and 134 of the Motor Vehicles Act and was directed to suffer imprisonment for a period of six (06) months for the offence punishable under Section 304-A of the IPC, to suffer simple imprisonment for a period of three (03) months for the offence punishable under Section 279 of the IPC and to suffer simple imprisonment

for a period of three (03) months for the offence punishable under Section 184 of the Motor Vehicles Act.

4. The applicant challenged the said conviction before the learned Sessions Judge, Jalgaon in Criminal Appeal No. 28/2013. Vide judgment delivered on 26.07.2022, the learned Additional Sessions Judge, Jalgaon dismissed the appeal thereby confirming the sentence awarded by the learned JMFC.

5. The learned counsel for the applicant submits that throughout the trial and the appeal, the applicant was on bail. He further submits that the applicant is having good merit in the revision and therefore, till disposal of the revision sentence be suspended.

6. Considering the grounds raised in the revision and the fact that the applicant was on bail during trial and there is no allegation that he violated the conditions, I am inclined to allow the application. Hence, the following order.

ORDER

(I) The application stands allowed.

(II) The substantive sentence awarded by the learned Magistrate and confirmed by the learned First Appellate Court is hereby suspended till the decision of the revision petition.

(III) The fine amount is already deposited before the learned Magistrate.

(IV) The applicant shall be released on furnishing personal bond of Rs. 10,000/- (Rs. Ten Thousand only) with one solvent surety in the like amount to the satisfaction of the learned Magistrate.

(V) Parties to act upon authenticate copy of this order.

(VI) The application is disposed of accordingly.

(BHARAT P DESHPANDE, J.)

PS.B.