

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

**CRIMINAL APPLICATION NO. 3051 OF 2022
IN
CRIMINAL REVISION APPLICATION NO. 273 OF 2022**

Navnath Pandurang Bhade .. Applicant

Versus

The State of Maharashtra
Through In-charge Police Station .. Respondent

Mr. Sandip Ramnath Andhale, Advocate for the Applicant.
Mrs. G. L. Deshpande, APP for Respondent.

CORAM : KISHORE C. SANT, J.

DATED : 13th SEPTEMBER, 2022.

PER COURT :-

1. Heard the learned advocate for the applicant.
2. The learned advocate for the applicant submits that by way of judgment and order passed by the learned J.M.F.C., Karjat, the applicant was held guilty and was sentenced for the offence punishable under Section 279 of the Indian Penal Code (for short "IPC"), the applicant is sentenced to suffer two (02) months rigorous imprisonment and to pay fine of Rs. 500/- (Rs. Five Hundred only) in default to undergo simple imprisonment for a period of ten (10) days. For the offence punishable under Section 304-A of the IPC, he is

sentenced to undergo six (06) months rigorous imprisonment and to pay fine of Rs. 2000/- (Rs. Two Thousand only) and in default to suffer one (01) month simple imprisonment. For the offence punishable under Section 184 of the Motor Vehicle Act, the applicant is directed to pay fine of Rs. 1000/- (Rs. One Thousand only) and in default to undergo simple imprisonment for a period of fifteen (15) days. For the offence punishable under Section 134 of the Motor Vehicle Act, the applicant by order dated 24.05.2017 is directed to pay fine of Rs. 100/- (Rs. One Hundred only) and in default to undergo three (03) days simple imprisonment.

3. The applicant states that, he immediately preferred appeal bearing Criminal Appeal No. 156 of 2019. At the time of release on bail pending appeal, he has deposited the amount of fine in the Trial Court. Thus, the entire fine amount is already paid. On 08.08.2022, the appeal came to be dismissed by the learned Additional Sessions Judge, Shrigonda. The applicant is immediately taken into custody and since then he is in custody.

4. Considering the submissions and considering the fact that maximum punishment awarded is six months. It would be in the interest of justice to release the applicant on bail by suspending substantive sentence. Hence, the following order.

ORDER

(I) The applicant be released on bail by furnishing P. R. bond in the sum of Rs. 25,000/- (Rs. Twenty Five Thousand only) with one solvent surety. The sentence awarded by the learned Judicial Magistrate First Class, dated 24.05.2017 and confirmed by the learned Additional Sessions Judge, Shrigonda dated 08.08.2022 in Criminal Appeal No. 156 of 2019 shall remain suspended till the revision is heard and decided finally.

(II) Criminal application is disposed of accordingly.

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

(KISHORE C. SANT)
JUDGE

RS.B.