

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

**CRIMINAL APPLICATION NO.3462 OF 2022
IN REVN/306/2022**

**RAJESH VISHWANATH BHALERAO
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. Ingole Govind Rangrao
APP for Respondent/State : Mr. S.B. Narwade

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CORAM : S.G. MEHARE, J.

DATED : 18th OCTOBER, 2022

PER COURT:-

1. Learned Ad-hoc Assistant Sessions Judge-2, Parbhani convicted the applicant for the offence punishable under Section 353 of the Indian Penal Code and sentenced to suffer S.I. for two months and to pay a fine of Rs.2,000/- in default to suffer the S.I. for 30 days.
2. Learned counsel for the applicant would submit that the fine amount has been deposited. The applicant has a good case on merit. The sentence has been suspended by the learned Ad-hoc Assistant Sessions Judge till the appeal/revision period is over. Hence, the sentence may be suspended.
3. Perused the impugned judgment and order. This is the first remedy after the conviction against the applicant by way of revision. The applicant has a good case on merit. The sentence can be suspended. Hence, the following order :

ORDER

- I) Application is allowed.
- II) The order imposing sentence to suffer S.I. for two months passed by the learned Ad-hoc Assistant Sessions Judge-2, Parbhani in Sessions Case No.278 of 2019 dated 30.08.2022, is suspended till the conclusion of the revision petition.
- III) The applicant shall be released on bail on executing P.B. and S.B. of Rs.15,000/- (fifteen thousand) with one solvent surety of the like amount.
- IV) Bail before the learned Ad-hoc Assistant Sessions Judge-2, Parbhani.

(S.G. MEHARE, J.)