

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1299 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.170 OF 2022

Bharat Karbhari Nikalje and Another ...Applicants
vs.
The State of Maharashtra ...Respondent

Mr. Atul Kakade, for the Applicants
Ms. Anamika Malhotra, APP for the Respondent-State.

CORAM : N. J. JAMADAR, J.
DATE : APRIL 22, 2022

P.C.:

I.A.No.1299 of 2022 :-

1. Heard the learned counsel for the parties.
2. This revision assails the judgment and order dated 19th March, 2022 in Criminal Appeal No. 737 of 2017 whereby the learned Additional Sessions Judge, Greater Bombay dismissed the appeal preferred by the applicants and affirmed the judgment and order dated 17th November, 2017 passed by the learned Metropolitan Magistrate, Kurla in C.C. No. 330/PW/2010 whereby the applicants were convicted for the offences punishable under sections 323 and 506(II) read with 34 of Indian Penal Code, 1860 and sentenced to suffer simple imprisonment for three months and six months each, on the respective count, and also pay fine of Rs.

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1,000/- on each of the counts with default stipulation.

3. The applicants were on bail during the pendency of the trial and appeal. Short sentences have been imposed upon the applicants. The applicants appear to have roots in the society.

4. Arguable questions are raised.

5. Hence, the substantive sentence stands suspended during the pendency of this revision application.

6. The applicants be released on bail on furnishing a P.R. Bond of Rs. 15,000/- each and a surety in the like amount to the satisfaction of the learned Magistrate.

7. Application stands disposed.

Revision No. 170 of 2022 :-

8. Heard.

9. Admit.

10. Issue notice to the respondents.

11. Learned APP waives notice for the respondent-State.

12. Revision be listed on 20th July, 2022.

(N. J. JAMADAR, J.)