

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

***CRIMINAL INTERIM APPLICATION NO.10 OF 2022
IN
CRIMINAL REVISION APPLICATION NO. 4 OF 2022***

Namdev Maruti Mane ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Satyavrat Joshi i/b Mr. Samay Pawar, for the Applicant.

Ms. Veera Shinde, A.P.P for the Respondent– State.

CORAM : REVATI MOHITE DERE, J.

DATE : 7th JANUARY 2022

(THROUGH VIDEO CONFERENCING)

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicant seeks suspension of his sentence and enlargement on bail, pending the hearing and final disposal of the aforesaid Revision Application.
3. The applicant alongwith other co-accused vide Judgment and Order dated 17th January 2013, passed by learned Judicial Magistrate First

Class, Atpadi in R.C.C. No.81 of 2008 was convicted for the offences punishable under Sections 498-A r/w 34 of the Indian Penal Code and was directed to suffer simple imprisonment for 3 months and to pay a fine of Rs.500/-, in default, to suffer simple imprisonment for 2 days. In addition to the aforesaid, the applicant was also convicted for the offences punishable under Sections 323 r/w 34; 504 r/w 34; 506 r/w 34 and 494 of the Indian Penal Code. Being aggrieved by the said Judgment and Order of conviction and sentence, the applicant filed an Appeal in the Sessions Court being Criminal Appeal No.46 of 2013. The learned Additional Sessions Judge, Sangli, vide Judgment and Order dated 1st December 2021, acquitted the applicant of all the offences, however, confirmed the conviction and sentence of the applicant under Section 494 of the Indian Penal Code. Hence, the aforesaid Revision Application.

4. The Revision Application has been admitted by a separate order passed today and the same is not likely to come up for the hearing in the immediate near future. The sentence imposed is a short term sentence i.e. of 3 months. There is nothing on record to show that the applicant whilst on bail has misused or abused the liberty granted to him.

5. Considering the aforesaid, the application is allowed and the applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of his Revision, on the following terms and conditions :

ORDER

(i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of 20,000/- with one or two sureties in the like amount.

ii) The Applicant shall report to the trial Court, once in six months on the day/date specified by the trial Court, till his Appeal is finally disposed of;

iii) The Applicant shall keep the trial Court informed of current address and mobile contact number and/or change of residence or mobile details, if any, from time to time.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.