

Ghuge

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

**INTERIM APPLICATION NO. 4089 OF 2022
IN
REVISION APPLICATION NO. 424 OF 2022**

Vinayak Mahipati Kandekar ... Applicant
V/s.
The State of Maharashtra. ... Respondent

Ms. Prabha Badadare i/by Mr. M.K. Kocharekar for the
applicant.

Mr. R.M. Pethe, APP for the respondent/State.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 5, 2022

P.C.:

1. Learned Judicial Magistrate First Class, Mangaon convicted and sentenced the applicant for offence punishable under Sections 304-A of the Indian Penal Code, 1860 and directed the applicant to suffer rigorous imprisonment of one (1) year and has been also convicted for the offence punishable under Section 279 of Indian Penal Code, 1860 and is directed to undergo imprisonment of one (1) month. The said Judgment and Order has been confirmed by the learned Sessions Judge.

2. Having considered the Judgment and Orders of the learned Magistrate and the learned Sessions Judge, considering the period of sentence imposed, it is unlikely that the revision will be decided

in near future. Hence, following order:

- a) The sentence imposed by judgment and order passed by the learned District & Sessions Judge-2, Mangaon in Criminal Appeal No.13 of 2017 confirming the Judgment and Order dated 15th April 2017 passed by the learned Judicial Magistrate First Class, Mangaon in Summary Criminal Case No.97 of 2013 is suspended till 31st January 2023;
 - b) The applicant shall be released on bail on furnishing cash surety of Rs. 5,000/- (Five Thousand Only);
 - c) The applicant shall furnish PR. Bond in the amount Rs. 5,000/- (Five Thousand Only) within three (3) weeks thereafter along with one (1) surety in the like amount.
3. Issue notice to the respondent, returnable on **27th January, 2023.**

(AMIT BORKAR, J.)