

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO.88 OF 2022
IN
CRIMINAL APPLICATION (APPA) NO.121 OF 2022

Sagar S/o Babulal Patke

Versus

The State of Maharashtra, through P.S.O., P.S. Kurha, Tq. & Dist. Amravati

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.Ambatkar, Advocate for the appellant.

Ms. T.H. Udeshi, A.P.P. for the respondent/State.

CORAM : ANIL S. KILOR, J.

DATED : 15th FEBRUARY, 2022

1. Heard Shri Ambatkar, learned counsel for the appellant and Ms. T.H. Udeshi, learned A.P.P. for the respondent/State.

2. Admit.

3. Call record and proceedings.

4. Ms. T.H. Udeshi, learned A.P.P. waives service of notice for the respondent/State.

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5. This is an application for suspension of sentence and for grant of bail.

6. The applicant is convicted for the offence punishable under Section 307 of the Indian Penal Code and sentence to suffer Rigorous Imprisonment for a period of three years and to pay fine of Rs.1,000/- and in default, to suffer Rigorous Imprisonment for one month. The accused was further directed to pay compensation of Rs.10,000/- vide judgment and order dated 06.01.2022 passed by the learned Sessions Judge, Amravati in Sessions Case No.103 of 2017.

7. The learned counsel for the applicant submits that the applicant was on bail during the trial and he has not misused the liberty. He, accordingly prays for suspension of sentence and for grant of bail.

8. Ms. T.H. Udeshi, learned A.P.P. for the respondent/State, is not disputing the fact that the applicant was on bail during the trial and he has not misused the liberty.

9. As it is not likely that the appeal being heard, the application is allowed. The sentence, as imposed by the learned Sessions Judge, Amravati vide judgment and order dated 06.01.2022 in Sessions Case No.103 of 2017 convicting the applicant for the offence punishable under Section 307 of the Indian Penal Code is hereby suspended and bail is granted on the same

terms which were imposed on the applicant while releasing him on bail.

10. The Criminal Application is disposed of, accordingly.

[ANIL S. KILOR, J.]