

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

CRIMINAL REVISION APPLICATION NO.168 OF 2022

Sukhdeo s/o Natthuji Barekar

Vs.

The State of Maharashtra, Through P.S.O., Police Station, Shegoan, Dist. Chandrapur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. P. P. Dhok, Advocate for applicant.

Mr. S. M. Ghodeswar, APP for non-applicant/State.

CORAM : AVINASH G. GHAROTE, J.

DATE : 20/07/2022

1. Heard Mr. Dhok, learned counsel the applicant and Mr. Ghodeswar, learned APP for non-applicant/State.

2. The applicant is convicted for the offence punishable under Sections 448 and 354 of the Indian Penal Code (for short "IPC") and sentenced to suffer R.I. for one year and fine of Rs.3,000/- for the offence punishable under Section 354 of the IPC and to suffer an imprisonment of three months and fine of Rs.500/- for the offence punishable under Section 448 of the IPC by the judgment dated 29.8.2017. The appeal against the same has been dismissed by the learned Appellate Court on 22.6.2022.

3. Mr. Dhok, learned counsel for the applicant submits that the allegation of trespass and the outraging the modesty are not made out and even there is no corroboration. He submits that the short point is involved and the revision can be decided at the stage of admission itself, for which, he will place on record the copy of the paper-book of the learned Sessions Court and all exhibited documents, considering which, issue notice to the non-applicant for final disposal at the stage of admission itself, returnable after two weeks.

4. Mr. Ghodeswar, learned APP waives service of notice for the non-applicant/State.

Criminal Application (APPR) No.220 of 2022

1. This application seeks suspension of sentence and release of the applicant on bail. The statement is made by the learned counsel for the applicant that the applicant is throughout on bail. Considering the quantum of sentence imposed, and the plea raised in the revision, the sentence is hereby suspended. The applicant be released on bail on his executing PR. bond in the sum of Rs.25,000/- (Twenty Five Thousand) and one solvent surety in like amount.

JUDGE