

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

**CRIMINAL REVISION NO.181/2022**

Jagdish s/o. Kashinath Wakode Vs. State of Maharashtra

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

Court's or Judge's order

.....  
Mr. A. M. Tirukh, Advocate for the Applicant.  
Ms. H. Jaipurkar, A.P.P. for Non-applicant(s)/State.

**CORAM : AMIT B. BORKAR, J.**

**DATED : 2<sup>nd</sup> AUGUST, 2022.**

. Heard.

2. **Admit.**

3. Ms H. Jaipurkar, learned A.P.P. waives notice for  
Non-applicant/State.

**CRIMINAL APPLICATION (APPR) NO.247/2022**

. This is an application under Section 389 of the  
Code of Criminal Procedure for suspension of substantive  
sentence imposed by the learned Additional Sessions Judge,  
Akola in the judgment and order dated 18/07/2022 in  
Criminal Appeal No.111/2017.

2. The applicant has been convicted for the  
offences punishable under Sections 279, 304-A, 338 of the  
Indian Penal Code and Section 181 of the Motor Vehicles  
Act, 1988. The sentences imposed are for a period of two  
years and also for a period of four months.

3. The learned Advocate for the applicant states that the applicant was on bail during the pendency of the trial and the appeal.

4. The sentence imposed is of two years, it is unlikely that the revision will be heard in near future. It is also undisputed that during the pendency of the trial and the appeal, applicant had not misused the liberty granted to him. Applicant has made out a case for suspension of sentence.

5. I, therefore, pass the following order :

- i] The application under Section 389 of the Code of Criminal Procedure is allowed.
- ii] The substantive sentence imposed on applicant is hereby suspended.
- iii] Applicant shall be released on bail on he furnishing P. R. Bond of Rs.10,000/- with one solvent surety in the like amount.
- iv] Applicant shall report to the learned Sessions Judge, Akola once in a year in the first week of January of each year.

6. The application stands disposed of.

**JUDGE**