

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

CRIMINAL REVISION APPLICATION (REVN) NO. 224 OF 2022

Dinesh Zitru Chaudhari

...VERSUS...

State of Maharashtra thr. PSO, P.S. Bhis, Tah. Chimur, Distt. Chandrapur

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

Court's or Judge's order

Shri V.M.Vishwarupe, Advocate for applicant.

Shri I.J.Damle, APP for respondent/State.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 16th SEPTEMBER, 2022.

Issue notice to the respondent.

2. Shri I.J.Damle, learned Asst. Pubic Prosecutor waives notice for the respondent/State.

3. R & P be called.

4. It is made clear that the matter will be heard finally at the stage of admission.

5. The learned counsel for the applicant to place on record the copy of paper book of Appellate Court.

6. Stand over to 07/10/2022.

CRIMINAL APPLICATION (APPR) NO. 314 OF 2022

Heard the learned counsel for the applicant as well as the learned Asst. Pubic Prosecutor for the respondent/State.

2. The present application is filed for suspension of sentence and grant of bail.

3. It is submitted that the revision is filed by the applicant being aggrieved by the judgment and order passed in Criminal Appeal No. 34/2018 confirming the order passed by the learned Judicial Magistrate First Class, Chimur in Regular Criminal Case No. 13/2014. The present applicant was convicted for having committed offence punishable under Section 379 of Indian Penal Code and was directed to suffer rigorous imprisonment for 3 months and to pay fine of Rs. 5,000/-.

4. It is submitted that there is a good case on merit. Considering the quantum of sentence awarded, it would be appropriate to suspend the substantive sentence. Accordingly, the substantive sentence passed by both the Courts below is suspended.

5. The applicant be released on bail on furnishing P.R. bond of Rs. 15,000/- and one surety in the like amount to the satisfaction of the Appellate Court.

6. Accordingly, the application is disposed of.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar