



Diksha Rane

906. REVN 175-24.doc

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

**CRIMINAL REVISION APPLICATION NO.175/2024
WITH
INTERIM APPLICATION NO.1353/2024
IN
CRIMINAL REVISION APPLICATION NO.175/2024**

JAYESH DEVENDRA CHANDE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA & ANR.

..RESPONDENTS

Adv. Subir Sarkar for the applicant.

Mr. S. H. Yadav, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : APRIL 2, 2024.

P.C. :

CRIMINAL REVISION APPLICATION NO.175/2024

- 1.** Heard learned counsel for the applicant.
- 2.** Learned APP for the State opposed the revision application. It is submitted that there are concurrent findings recorded by the Courts below. Hence there is no reason to warrant interference.
- 3.** However, I find that arguable questions are raised.

Hence, **Rule.** Learned APP waives service of rule on behalf of the respondent no.1.

**INTERIM APPLICATION NO.1353/2024 IN
CRIMINAL REVISION APPLICATION NO.175/2024**

- 4.** Heard learned counsel for the applicant.
- 5.** Learned APP opposed the application.
- 6.** The revision has been admitted. Pursuant to the judgment and order dated 9/2/2024 passed by the trial Court, the applicant is taken in custody. The sentence is for a period of six months. The fine amount has been paid. The applicant was on bail during pendency of the appeal. There is nothing on record to indicate that the applicant had misused the liberty while on bail. Considering the short sentence and now that the applicant is in custody almost for a period of two months after the appeal was decided, I am inclined to enlarge the applicant on bail.
- 7.** The applicant be enlarged on same bail as before the trial Court but with fresh bonds.
- 8.** The applicant is permitted to furnish cash bail surety in the sum of Rs.10,000/- in lieu of surety for a period of eight weeks.

9. The applicant to attend the final hearing of the revision application.

10. The interim application is disposed of.

(M. S. KARNIK, J.)