



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

CRIMINAL APPLICATION NO.175 OF 2024

IN

CRIMINAL REVISION APPLICATION NO.136 OF 2024

(Vijay s/o Sukhadeorao @ Banduji Gawai Vs. Narayan s/o Tulshiramaji Kale)

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

Court's or Judge's Order

Mr. D.S. Khushalani, Advocate for the applicant.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- SEPTEMBER 3, 2024.

Heard.

2. By the revision application, the applicant has challenged the order dated 24/07/2024 passed by the Extra Joint Additional Sessions Judge, Achalpur by which the Additional Sessions Judge has confirmed the order of sentence and conviction passed by the Judicial Magistrate First Class, Court No.1, Daryapur and directed the present applicant to surrender his bail bonds and appear before the trial Court on 04/09/2024.

3. From the impugned judgment he has pointed out that the learned Sessions Court has not considered the material aspects and erroneously confirmed the order of conviction and sentence. He has many arguable points in the present revision application but it would take its own time for its final disposal. In the meantime, if sentence is executed the entire purpose of preferring the revision application would frustrate.

4. I have heard learned Counsel for both the parties. Perused the impugned judgment and points raised by the learned Counsel for the applicant which shows that he has many arguable points in the present application. In view of that, the sentence imposed by the Sessions Court by confirming the original sentence and the execution of the same is hereby suspended.

5. The execution of the sentence be suspended till disposal of the revision application on condition that the applicant shall deposit 50% of the compensation amount before the trial Court within one month.

6. The applicant be released on bail on executing P.R. bond in the sum of Rs.15,000/- with one surety in the like amount.

7. The application is disposed of.

8. The revision application be listed before the appropriate Bench after two weeks.

(URMILA JOSHI-PHALKE, J.)