



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

CRIMINAL REVISION APPLICATION (REVN) NO.250 OF 2023

[Kamalakar Atmaram Mohale ..Vs.. State of Maharashtra]

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

Court's or Judge's order

Mr A. C. Jaltare, Advocate for Applicant.
Mr H. D. Dubey, APP for Non-Applicant/State.

CORAM : M. W. CHANDWANI, J.

DATE : 20th MARCH, 2024.

. Heard.

2. **Admit.**

3. Call for record and proceedings.

CRIMINAL APPLICATION (APPR) NO.375 OF 2023

4. Heard.

5. By this application, the applicant is seeking suspension of sentence.

6. There is no doubt that there are two concurrent findings of Courts below confirming the sentence, but considering the punishment, which is for a fixed term of two years and in the wake of submission that without signature, in whose name the cheque stood could not have been withdrawn by the applicant, has not been considered by the Courts below, an arguable point is made out on merit. Meanwhile substantive sentence can be suspended. Hence the following order:

- i) Pending revision application, the substantive sentence passed by the learned JMFC, Sangrampur, District Buldhana, in R.C.C. No.250 of 2012 and modified by the learned Additional Sessions Judge, Khamgaon, District Buldhana, in Criminal Appeal No.8 of 2018, shall remain suspended.
- ii) The applicant - Kamalakar Atmaram Mohale shall be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety in the like amount.
- iii) The applicant shall remain present before this Court at the time of final hearing.

(JUDGE)