

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

CRIMINAL WRIT PETITION NO.360 OF 2024

Sunil Vinayak Chopde Vs. Rajendra Ramlal Jaiswal and another

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

Court's or Judge's orders.

Shri Nikhil Valesha, Advocate for petitioner.
Ms Sneha Dhote, APP for respondent no.2/State.

CORAM : M.W. CHANDWANI, J.

DATE : APRIL 24, 2024.

Heard.

2. The petition challenges order dated 28.02.2024 passed by the learned Additional Sessions Judge, Chandrapur in Criminal Appeal No.96/2023 thereby suspending the substantive sentence passed by the trial Court subject to condition of depositing 20% of the compensation amount within 60 days from the date of its order.

3. The contention is that depositing of 20% of the compensation amount cannot be a condition precedent while suspending the sentence. It is also contended that petitioner has already deposited 20% of the compensation amount in summary civil suit filed by the respondent no.1.

4. Issue notice to the respondents, returnable within two weeks.

5. Learned APP waives service of notice on behalf of respondent no.2/State.

6. Meanwhile, effect and operation of the condition to deposit 20% is stayed.

JUDGE

Wagh