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48.appr.23.2025 -....2...

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPR) NO.23 OF 2025
IN
CRIMINAL REVISION APPLICATION NO.14 OF 2025

Sumit Ashok Merugwar

Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Sindewahi, District Chandrapur

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

Court's or Judge's orders

Ms. R. K. Swami, Counsel for the applicant.

Ms. H. N. Prabhu, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 26/02/2025

1. By this application, the applicant is seeking suspension of sentence and releasing him on bail.
2. The applicant was prosecuted for the offence punishable under Sections 279 and 304-A of the Indian Penal Code. After appreciation of the evidence, the learned trial Court held the applicant guilty for the offence punishable under Section 279 of the Indian Penal Code and sentenced to suffer simple imprisonment for three months and for the offence punishable under Section 304-A of the Indian Penal Code to suffer rigorous imprisonment for one year and six months. The appeal was preferred against the said judgment and order of sentence which is also dismissed, hence this revision application.

Considering the punishment is of a limited period and the applicant was on bail during the trial as well as during the appeal period. The appeal would take its own time for its final disposal. In the meantime, if the sentence is executed, the revision would become infructuous. For all the above grounds, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The execution of sentence imposed in Summary Criminal Case No.192/2013 and Criminal Appeal No. 95/2018 is hereby suspended till disposal of the revision application.

(iii) The applicant **Sumit Ashok Merugwar** shall be released on bail on executing PR Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

The application is disposed of.

3. Learned Counsel for the applicant shall clarify whether the applicant was present before the Additional Sessions Judge while passing of the judgment or whether he has surrendered before the authority, in view of the order passed by the Additional Sessions Judge, Chandrapur.

CRIMINAL REVISION APPLICATION
NO.14 OF 2025

1. Heard.

Summary Criminal Case Number is corrected as per the Hon'ble Court's order dated 4.3.2025.
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2. **Admit.**
3. Call for record and proceedings.
4. Learned APP waives notice for the State.
5. Revision application be listed for final disposal after receipt of the record and proceedings.

(URMILA JOSHI-PHALKE, J.)