

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 6902 OF 2015
IN
CRIMINAL REVISION APPLICATION NO. 242 OF 2015**

Mohan Parmanand Borse **APPLICANT**

V E R S U S

The State of Maharashtra **RESPONDENT**

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Mr. Govind A.Kulkarni h/f Mr.N.R.Dayama,
Advocate for Applicant.

Mr. S.J.Salgare, A.P.P. for Resp. - State.

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CORAM : P.R.BORA, J.

[VACATION COURT]

DATE : 28th DECEMBER, 2015

ORAL ORDER :-

. The applicant has preferred present application in Criminal Revision Application No. 242 of 2015 against the Judgment and Order passed by the learned Additional Sessions Judge, Bhusawal in Criminal Appeal No. 159/2014.

2. The applicant was convicted in S.C.C. No. 109/2010 by the learned Judicial Magistrate First Class, Raver for the offences punishable u/ss 304-A,279,337

and 338 of the Indian Penal Code and was sentenced to suffer Simple Imprisonment of one year and to pay fine of Rs. 1,000/- for the offence punishable u/s 304-A of the Indian Penal Code, Simple Imprisonment of three months and to pay fine of Rs. 500/- for the offence punishable u/s 279 of the Indian Penal Code, Simple Imprisonment of three months and to pay fine of Rs. 500/- for the offence punishable u/s 337 of the Indian Penal Code and Simple Imprisonment of one year and to pay fine of Rs. 1,000/- for the offence punishable u/s 338 of the Indian Penal Code. In the Appeal, learned Additional Sessions Judge though has acquitted the applicant of the offence punishable u/s 337 of the Indian Penal Code, has confirmed the conviction and sentences imposed by the learned Judicial Magistrate First Class for the other offences. Learned counsel appearing for the applicant submitted that the applicant has already deposited the fine amount.

3. After having gone through the grounds raised in the Criminal Revision Application and on perusal of the Judgments passed by the lower courts, it appears to me that arguable issues are raised in the Criminal Revision application. Hence, the following order.

ORDER

(i) Pending hearing and final disposal of Criminal Revision Application No. 242 of

2015, the execution of the sentence awarded by the learned Judicial Magistrate First Class in S.C.C. No. 109 of 2010 and confirmed by the learned Additional Sessions Judge in Criminal Appeal No. 159 of 2014 is suspended.

- (ii) Applicant Mohan Parmanand Borse be released on bail on furnishing P.R. Bond of ₹ 15,000/- [Rupees Fifteen Thousand] along with one solvent surety in the like amount before the trial Court.
- (iii) Criminal Application No. 6902 of 2015 stands disposed of.

[P.R.BORA,J.]