

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

CRIMINAL REVISION APPLICATION [REVN] NO. 90/2020.

Shrikrishna Babulalji Tawari

-VERSUS-

State of Maharashtra.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

None for the Applicant.

Shri M.R. Joshi, A.P.P. for Non-applicant.

CORAM : VINAY JOSHI, J.

DATE : APRIL 23, 2020.

CRIMINAL APPLICATION NO.95/2020.

Heard.

2. The applicant was convicted by the learned Magistrate in S.C.C.No.56/2012 for commission of offence punishable under Sections 354 and 509 of the Indian Penal Code, and was sentenced to suffer maximum punishment of imprisonment for a period of two years and to pay fine of Rs.30,000/-.

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3. Being aggrieved by the said order, the applicant has preferred Criminal Appeal No.108/2018, which came to be dismissed on merit on 12.03.2020. The applicant is seeking suspension of sentence. It is submitted that the revision will take its own time for disposal and if the applicant/accused is kept in jail, then the purpose of filing revision would be frustrated.

4. Having regard to the nature of offence and quantum of sentence it is not desirable to keep the applicant behind bar unless the impugned order is tested on merits. Certainly, the revision application will take its own time for disposal in accordance with law. The applicant has deposited partial amount of fine of Rs.5,000/- and he undertakes to deposit remaining amount within four weeks. In that view of the matter, following order is passed.

(i) Execution of substantive sentence in S.C.C. No.56/2012, which was confirmed in Appeal No.108/2018 on 12.03.2020, is suspended

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till the final disposal of the revision petition.

(ii) The applicant shall deposit the remaining fine amount in the trial Court within a period of four weeks from today.

JUDGE

Rgd.