

05.03.2026

ORDER ON I.A.NO.I

The counsel for appellant has filed **I.A.No.I** under section under section 389(1) of Cr.P.C to stay the operation and execution of the impugned judgment dated 04.02.2026 of the trial court.

In the affidavit, in support of **I.A.No.I**, it is stated that he has filed the present appeal against the impugned Judgment dated 04.02.2026 passed by the learned II Additional Civil Judge and J.M.F.C court, Saundatti. Accordingly prayed to allow the application.

Heard learned Counsel Sri.B.S.Shivanagudi representing the appellant on **I.A.No.I**.

Further, counsel has argued that appellant is convicted under section 420 of I.P.C and prayed for suspending the operation and execution of Judgment of conviction and order of sentence dated 04.02.2026 passed by the trial court pending disposal of the appeal.

The appellant has been convicted for the offence punishable under section 420 of Indian Penal Code.

Further accused is sentenced to undergo imprisonment for a period of 2 years and to pay a fine of Rs.7,000/- and in default of payment of fine, to undergo further simple imprisonment for a period of 6 months for the offence

punishable under section 420 of Indian Penal Code.

Having perused the impugned judgment and the grounds urged by the appellant in the memorandum of appeal, there are sufficient materials to consider the appeal on merits and meanwhile the operation of the order of sentence needs to be suspended subject to conditions and accordingly, the following order is passed.

ORDER

The **I.A.No.I** filed by the appellant under section 389(1) of Cr.P.C is hereby **Allowed**.

Further the execution of the sentence imposed under the impugned judgment of the learned II Additional Civil Judge and J.M.F.C court, Saundatti, in Proceedings in C.C.No.911/2019 dated 04.02.2026 is hereby stayed and suspended, subject to the condition that appellant/accused shall deposit fine amount before the Trial Court and to execute personal bond for **Rs.50,000/- with a surety** for like sum to the satisfaction of the Trial Court before next date of hearing.

Intimate the Trial Court accordingly.

Issue notice of appeal and I.A's to the respondent. Call on : 09.06.2026.

05.03.2026

IV Addl. District and Sessions
Judge, Belagavi.