

KAUK010004292025



Case called out.

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Heard the counsel for Appellant.

The Appellant/Accused has filed this appeal under Section 415 of BNSS challenging the Judgment dated 17-02-2025 passed by the Prl. Senior Civil Judge and CJM, Karwar in C.C. No.1790/2023, wherein the learned CJM as convicted the Appellant /Accused for the offences punishable under Section 279, 304-A of IPC and Section 3(1) R/w Section 181 of I.M.V.Act.

The learned CJM has convicted the Accused for the offence punishable under Section 279 and 304-A of IPC and he was sentenced to undergo simple imprisonment for a period of six months and to pay fine of Rs. 10,000/- and in default to pay fine amount, he shall undergo simple imprisonment for a period of three months.

Further, the learned CJM has convicted the Accused for the offence punishable under Section 3(1) R/w Section 181 of I.M.V Act and he was sentenced to undergo simple imprisonment for a period of two months and to pay fine of Rs. 500/- and in default to pay fine amount, he shall undergo simple imprisonment for a period of 15 days.

Along with Appeal Memo, the

Appellant has also filed I.A.1/2025 under Section 430 of BNSS praying this court to suspend the sentence and stay the operation and execution of the order of conviction dated 17-02-2025 passed by the Prl. Senior Civil Judge and CJM, Karwar in C.C. No.1790/2023.

Perused the impugned Judgment and grounds in the Appeal Memo and reasons stated in the Memorandum of facts filed along with the application. There are sufficient grounds to suspend the sentence and stay the operation and execution of the order of conviction and sentence dated 17-02-2025 passed by the Prl. Senior Civil Judge and CJM, Karwar in C.C. No.1790/2023.

Hence, pass the following

ORDER

Hence, the Judgment of conviction and order of sentence passed by the Prl. Senior Civil Judge and CJM, Karwar in C.C.No.1790/2023, against the Appellant /Accused is hereby stayed subject to deposit of fine amount within two weeks before the Trial Court and offer bail on personal bond of Rs.50,000/- with one surety for the likesum to the satisfaction of the Trial Court.

Issue notice to Respondent and call for TCR. R/by 30-06-2025

Sd/-

II Addl., District & Sessions Judge,
U.K., Karwar