

MHBU010004272025



Cri.Appeal No.19/2025
Haridas Khanduji Balkar
Vs.
State of Maharashtra

ORDER BELOW EXH.5

(Passed on this 27th day of March 2025)

- 1] By filing this application below Exh.5, the appellant has requested for staying the judgment and order passed in R.C.C.No. 163/2014 dated 3.3.2025 by learned Judicial Magistrate, Court No.1, Chikhli.
- 2] This appeal has been filed by the appellant/ accused, being aggrieved by the judgment and order passed by learned Judicial Magistrate, First Class , Court No.1, Chikhli. By this order the learned trial Court has convicted the appellant/accused for the offence punishable under Section 3 of Black Magic Act, 2013 and has sentenced to suffer rigorous imprisonment for one and to pay a fine of Rs.25,000/-, in default of payment fine, to suffer further six months rigorous imprisonment. Out of fine amount, it was also directed to pay Rs.5,000/- towards compensation to be paid to the informant vide Sec. 357(3) of Cr.P.C.
- 3] The appellant has filed this application with the

contention that the he has been released on bail by the learned trial Court. The present appellant has deposited the fine amount of Rs.25,000/- in the learned trial Court and has requested to suspend the substantive sentence and the appellant be released on bail.

4] Heard learned Advocate Shri Badge for appellant/accused. Perused record. It is found that the appellant/accused has deposited the fine amount of Rs.25,000/- in the learned trial Court. The appeal is to be decided on merit and till then the order of learned trial Court can be suspended subject to following conditions. Hence, the following order,

ORDER

- 1] The substantive sentence passed in R.C.C.No.163/2014 dated 3.3.2025 by learned Judicial Magistrate,Court No.1, Chikhli is suspended till final hearing of this appeal subject to condition that the appellant/accused shall furnish P.R.Bond of Rs. 15,000/- with one surety in the like amount.
- 2] Inform to the learned trial Court.

Buldana
Date: 27.3.2025

(Manjusha V. Deshpande)
Additional Sessions Judge,
Buldana