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Cri. Appeal No. 31/2018
Dhansingh Walsingh Masanya -Vs- State of Maharashtra
CNR No. MHBU040011712018

ORDER BELOW EXH.4.

(Passed on this 2nd November, 2018)

1. This is an application under Section 389 of the Code of Criminal Procedure for suspension of the sentence, passed by the learned Judicial Magistrate First Class, Sangrampur, Tq. Sangrampur, Dist. Buldana, on 17.10.2018, whereby, the appellant herein and the accused in Regular Criminal Case No.20/2016, came to be convicted on the charge under Section 324 of the Indian Penal Code (for short 'IPC') and he is sentenced to suffer simple imprisonment six months and to pay fine of Rs.5000/- (in words five thousand only), in default of which, he is directed to suffer simple imprisonment for one month.

2. From the certified-copy of the impugned Judgment & Order appealed against, it is seen that, on the day of pronouncement of the said impugned Judgment and order, the appellant/convicted person has not deposited the fine amount, but, on 31.10.2018, the appellant/convicted person has deposited the fine amount in the lower Court.

3. As the appellant has challenged his conviction & the sentence on the afore-said charge, I find it just & appropriate to direct the suspension of the execution of the said sentence and Order appealed against, till the disposal of this appeal on the appellant's executing PR Bond in the sum of Rs.10,000/- (in words Rupees ten thousand) along-

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with one surety in the like amount and if the appellant is under confinement, he shall be released on such bail. The application Exh.4 accordingly stands allowed, with following Order :

ORDER

1. The application Exh.4 stands allowed.
2. The impugned sentence and Order dated 17.10.2018, passed by the learned Judicial Magistrate First Class, Sangrampur, Tq. Sangrampur, Dist. Buldana, in Regular Criminal Case No.20/2016, State of Maharashtra through PSO Tamgaon Police Station -Vs- Dhansingh Walsingh Masanya, stands suspended till the disposal of the present appeal i.e. Criminal Appeal No. 31/2018 Dhansingh Walsingh Masanya -Vs- State of Maharashtra.
3. The appellant/convicted person, namely, Dhansingh Walsingh Masanya, aged about 45 years, R/o Dayalnagar (Karmoda), Tq. Sangrampur, Dist. Buldana, be released on bail on his executing PR Bond in the sum of Rs.10,000/- (in words Rupees ten thousand) along-with one surety in the like amount.
4. A copy of this Order be communicated to the learned Judicial Magistrate First Class Sangrampur, Dist. Buldana, for necessary information.

Date : 02-11-2018.

Sd/-
(V.M. Pathade)
Ad-hoc Addl. Sessions Judge,
Khamgaon, Dist. Buldana.

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I affirm that the contents of this P.D.F. file order are same word for word as per original order

Name of Steno : G.D. Dahake (H.G.)

Name of Court : Ad-hoc Additional Sessions Judge, Khamgaon, Dist.Buldana.

Upload date : 03.11.2018