

In the Court of Sessions Judge, at Wardha.

Cri. Appeal No.1/2020
CNR No. MHWR010000492020

Dinesh .Vs. State
Order Below Exh-5
(Passed on 13.01.2020)

1. Perused the application and impugned judgment and order. Heard learned Advocate Shri H.K.Chandak for the appellant-accused. Considering the nature of offences and provided punishment for the same, I have not called for hearing to the P.P.

2. It appears that J.M.F.C.Court no.2, Seloo has been delivered the Judgment on 10.12.2019 in SCC No.221/2016 thereby held guilty to the appellant-accused for the offence punishable under section 341 of I.P.C. and he is sentenced to suffer S.I. of one month and to pay fine of Rs.500/-. In default of payment of fine to undergo S.I. of fifteen days. He is also held guilty for the offence punishable under section 294 of I.P.C. and sentenced to suffer R.I. of three months and to pay fine of Rs.1000/-. In default of payment of fine to undergo S.I. of fifteen days and he is also held guilty for the offence punishable under section 506(II) of I.P.C. and sentenced to suffer R.I. of one year and to pay fine of Rs.1000/-. In default of payment of fine to undergo S.I. of fifteen days.

3. The appellant-accused submitted that he is only earning member in his family. Considering the nature of

offences and his family background, sentence awarded by the Magistrate may be suspended till the decision of the appeal and till then he may be released on bail.

4. The appeal is admitted today. The appellant-accused has deposited the fine amount in the court of J.M.F.C., Seloo. Considering the nature of offence, nature of punishment provided for the same as well as taking into consideration the family background of appellant-accused and backdrop pointed by his Advocate in the case of prosecution, I am inclined to suspend the sentence till the decision of appeal and till then release the appellant-accused on bail. Thus, I proceed to pass following order :

Order

1) The application Exh.4 is allowed and substantive sentence of imprisonment awarded by J.M.F.C. Court no.2, Seloo by passing judgment and order in SCC No.221/20165 on 10.12.2019 is hereby suspended till decision of the appeal subject to condition that the appellant-accused shall remain present in the court at the time of final hearing of appeal and till then he be released on bail on executing his P.R.Bond of Rs.15,000/- with solvent surety in the like amount subject to same condition.

2) The appellant-accused shall furnish the bail in this court.

3) Inform to the J.M.F.C. Court no.2, Seloo accordingly.

Date : 13.01.2020

(Dilip G. Murumkar)
Sessions Judge, Wardha

CERTIFICATE

I affirm that the contents of this PDF file order are same word to word, as per the original order.

Name of Stenographer : P.H.Khodake, Steno(G-I)
Court : Principal District and
Sessions Judge, Wardha
Date : 13.01.2020
Order signed by the : 13.01.2020
Presiding Officer on
Order uploaded on : 14.01.2020