

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION NO. 177 of 2018****With****R/CRIMINAL MISC.APPLICATION NO. 1 of 2018****With****R/CRIMINAL MISC.APPLICATION NO. 4010 of 2018****In****CRIMINAL REVISION APPLICATION NO. 177 of 2018**

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ATULBHAI JAYANTIBHAI THORIYA

Versus

STATE OF GUJARAT

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Appearance:

MR PT JASANI(361) for the PETITIONER(s) No. 1

MRS. HANSA PUNANI, ADDITIONAL PUBLIC PROSECUTOR(2) for the
RESPONDENT(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE R.P.DHOLARIA

Date : 16/04/2018

ORAL ORDER**CRIMINAL REVISION APPLICATION NO.177 OF 2018:**

Rule. Mrs.Hansa Punani, learned APP waives service of rule on behalf of the respondent-State.

CRIMINAL MISC.APPLICATION NO.4010 OF 2018:

Rule. Mrs.Hansa Punani, learned APP waives service of rule on behalf of the respondent-State.

Heard Mr. PT Jasani, learned advocate for the revisionist-applicant and Mrs. Hansa Punani,

learned APP for the respondent State.

Mr. PT Jasani, learned advocate submitted that in pursuance of order passed by this Court, the applicant has already deposited 50% of the cheque amount and further argued that hearing of this revision application would definitely take some pretty long time, during which period the order of sentence may be suspended.

Having heard learned counsels for the respective parties and having gone through the materials available on record, this Court deems it appropriate to suspend the sentence as the applicant-accused has already deposited 50% of the cheque amount. Hence, prayer in terms of the bail is allowed. The sentence imposed by judgment and order dated 19.07.2017 passed by learned 11th Additional Chief Judicial Magistrate, Rajkot in Criminal Case No.6659 of 2013 and judgment and order dated 03.02.2018 passed by the learned 7th Additional Sessions Judge, Rajkot in Criminal Appeal No.154 of 2017 shall remain suspended pending hearing and final disposal of the present revision application. The applicant shall be released on regular bail by executing fresh bond of Rs.10,000/- (Rupees ten thousand only) and one surety of like amount to the satisfaction of trial Court on condition that he shall proceed with the revision application as and when it may

be listed and he shall not leave India without prior permission of this Court and he shall surrender his passport before the trial Court.

Direct service is permitted.

Criminal Misc. Application No. 1 of 2018:

As the sentence passed by both the Courts below is suspended, this application has become infructuous and stands disposed of accordingly.

(R.P.DHOLARIA, J)

SAURABH R. CHAUHAN