

(2023) 05 MP CK 0083

In the Madhya Pradesh High Court

Case No : Criminal Appeal No.6846 Of 2015

Bapulal

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 22-05-2023

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 389(1)
Indian Penal Code, 1860 — Section 323, 324

Citation : (2023) 05 MP CK 0083

Hon'ble Judges : Sushrut Arvind Dharmadhikari, J

Bench : Single Bench

Advocate : Archana Maheshwari, Tarun Kushwah

Judgement

Sushrut Arvind Dharmadhikari, J

Heard on IA No.7437/2023, an application for urgent hearing during vacation.

For the reasons, stated in the application, the same is allowed.

Also heard on the question of admission.

Admit.

Record of the Trial Court be called for.

Heard on I.A.No.7431/2023, which is first application filed under Section 389 (1) of Cr.P.C. for suspension of sentence and grant of bail to appellant-Bapulal.

This criminal appeal is directed against the judgment dated 29.04.2023, passed in S.T.No.648/2021 by the Additional Sessions Judge, Garoth, District Mandsour, whereby the appellant has been convicted under Section 323 of IPC and sentenced to R.I. for 3 months along with fine of Rs.500/- and under Section 324 of IPC and sentenced to undergo R.I. for two years with fine of Rs.1,000/-, with default stipulation.

Learned counsel submits that the trial Court has already suspended the jail

sentence uptill 29.05.2023 and the amount of fine has already been deposited.

A n early hearing of this appeal is not possible. Taking into consideration the facts and circumstances of the case, the I.A. is allowed.

It is, therefore, directed that if appellant Bapulal deposits the entire fine amount, if not already deposited, and furnishes a personal bond in the sum of Rs.50,000/- (Rupees fifty thousand) with a solvent surety in the like amount, to the satisfaction of trial Court for his appearance before the Registry of this Court on 07.07.2023 and on such subsequent dates as may be fixed in this regard, sentences of imprisonment awarded to them shall remain suspended till further orders and he shall be released on bail.

C.C. as per rules.