

Anwar Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Mar-22-2013

Appellant : Anwar

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. Amit Dubey

Judgement :

1 Cr.

Appeal No.1277/11 22.3.2013 Shri Amit Dubey, learned counsel for the appellants.

Shri R.P.Tiwari, learned Govt.

Adv.for the State.

Heard on I.A.No.23699/12, a repeat application on behalf of appellant No.1 Anwar, for suspension of his remaining jail sentence and grant of bail, as his earlier application in this regard was dismissed as withdrawn vide order dated 13.2.2012, by extending a liberty to revive the prayer at subsequent stage on availability of some additional ground and circumstances in the matter or after serving the substantial part of the jail sentence out of the awarded sentence.

It appears that after facing the awarded jail sentence more than two and half years, the present I.A. has been preferred under the aforesaid liberty.

An information letter dated 25.9.2012, obtained by the appellants counsel from the District Jail Khandwa, to show the account of imprisonment suffered by the appellant in jail so also referred the same, is taken on record.

The appellant no.1 along with co-accused have been convicted under Sections 306 and 498-A of I.P.C. for R.I. five years with fine of Rs.5000/- in the earlier Session, while R.I. for two years with fine of Rs.2,000/- in later.

Having heard the counsel, keeping in view the arguments advanced, after perusing the record, in the available facts and circumstances of the matter specially keeping in view that out of the awarded jail sentence, the appellant No.1 has suffered more than half sentence, without expressing any opinion on merits of the matter, the I.A. is allowed and subject to verification of depositing the fine amount, the remaining jail sentence of the appellant No.1 is hereby suspended.

It is further directed that on furnishing a personal bond of Rs.30,000/- (Rs. Thirty thousand) along with one surety of like amount to the satisfaction of the trial Court, the appellant No.1 Anwar released on bail with further direction to appear before the Registry of this Court firstly on 29.07.2013 and also on all subsequent dates which are given by the Office in this regard, till disposal of this appeal.

Certified copy as per rules.

(U.C. Maheshwari) Judge Pb

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