

Devendra Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Jul-30-2012

Appellant : Devendra

Respondent : The State of Madhya Pradesh

Judgement :

Cr.R.No.1408/12 30.7.2012 Shri Sharad Verma, Adv.for applicants.

Shri Pushpendra Singh,P.L.for respondent /State.

With the consent of learned counsel of the parties heard finally.

Applicants Devendra and Sunil have been convicted u/s 34(2) of M.P.Excise Act and sentenced to R.I.for 3 years with fine of Rs.25,000/-, in default of fine further R.I.for six months vide judgment and finding dated 16.7.2012 in Criminal Case no.4492/06 by CJ.M.Damoh; in Cri.

appeal No.100/12 vide judgment dated 18.7.12 of Fourth Addl.

Sessions Judge Damoh has dismissed the application for bail in the appeal hence this revision petition for grant of bail to applicants.

Learned counsel for the applicants submitted that applicants filed criminal appeal before Sessions Judge Damoh who vide order dated 18.7.2012 rejected the application for suspension of sentence, however, the appeal is still pending.

Applicant is already in jail since 16.7.2012.

In the aforesaid circumstances this revision is allowed.

It is directed that jail sentence alone imposed on the applicants Devendra and Sunil shall remain suspended if they pay the fine and furnish personal bond to the tune of Rs.25,000/-each (Rs.Twenty five thousand only) with a surety bond in the like amount each to the satisfaction of the trial Court for their appearance before IVth Additional Sessions Judge, Damoh on 13.8.2012 and continue thereafter as may be directed by that court, they be released on bail and the substantive jail sentence shall remain suspended during pendency of appeal.

This petition is allowed and disposed of finally.

As the criminal revision has been finally disposed of I.A.No.15589/12 stands disposed of as infructuous.

Certified copy as per rules.

(M.A.SIDDIQUI) JUDGE Ag/

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