

(2019) 02 CHH CK 0502

Chhattisgarh High Court

Case No: Criminal Revision No. 294 Of 2019

Shekh Hakimuddin

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision: Feb. 27, 2019

Acts Referred:

- Indian Penal Code, 1860 - Section 498A

Hon'ble Judges: Arvind Singh Chandel, J

Bench: Single Bench

Advocate: Somkant Verma, Amit Singh

Final Decision: Allowed

Judgement

Heard on admission.

Admit.

Also heard on IA No. 1/2019 for suspension of sentence and grant of bail to the Applicant.

By the impugned judgment dated 12/02/2019, passed by the learned Additional Sessions Judge, Kondagaon, District Kondagaon (C.G.) in Criminal

Appeal No. 06/2016, arising out of judgment dated 08/03/2016 passed by the learned Judicial Magistrate First Class, Keshkal, District Kondagaon

(C.G.) in criminal case no. 241/2013, the applicant stands convicted under Section 498 (A) of the IPC and sentenced to undergo RI for 1 year with

fine of Rs. 2,000/-, with default stipulation.

Learned Counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that

the applicant is in custody since 11.02.2019, therefore, looking to the short jail sentence awarded to him, he may be released on bail.

On the other hand State counsel opposes the bail application.

I have heard learned counsel for the parties.

Considering the evidence available on record, further considering the detention period of the accused/applicant without further commenting on merits of the case, I am inclined to release the applicant on bail.

Accordingly, the bail application is allowed.

It is directed that the substantive jail sentence imposed upon the applicant shall remain suspended during the pendency of this revision and he shall be

released on bail on his furnishing a personal bond for a sum of Rs. 10,000/- with one surety in the like sum to the satisfaction of the trial Court. The

applicant need not give any appearance until and unless otherwise directed.

Call for the record of the Court below.

List this case for final hearing in due course.