

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

48. CRI. APEAL/5/2015
WITH
CRI. APPLN/50/2015

PASHAMIYA S/L BADAEMIYA
V/S
THE STATE OF MAHARASHTRA AND ANOTHER

Mr. A.P. Basarkar, Advocate for appellant.

Mr. N.B. Patil, APP for State.

CORAM : T.V. NALAWADE, J.
DATED : 12th January, 2015.

ORDER :

1. Notice in both the proceedings. The learned APP waives notice for State. The learned counsel for the appellant is heard. The appellant is convicted and sentenced for offence punishable under section 498-A of I.P.C. In view of the reasoning given in the judgment, the appeal is **admitted**. Notice after admission is waived by the learned APP for State.

2. Criminal Application No. 50/2015 is filed for suspension of substantive sentence. Substantive sentence of two years is given and fine amount of Rs. 5000/- is imposed on applicant. The learned counsel for applicant made a statement that entire fine amount has been deposited and the learned

Judge of the trial Court has already suspended the substantive sentence. It appears that present applicant is on bail during trial. In view of these circumstances, this Court holds that bail needs to be granted.

3. So, the application is allowed. Substantive sentence is suspended. The applicant is to be released on bail on his furnishing PR and SB of Rs. 15,000/- (Rupees fifteen thousand).

[T.V. NALAWADE, J.]

ssc/