

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

CRIMINAL APPLICATION NO. 626 OF 2015
IN
CRIMINAL APPEAL NO. 116 OF 2015

Vikas Ankush Nikalje **....Applicant.**

Versus

State of Maharashtra **....Respondent.**

Mr. Joydeep Chatterji, Advocate for applicant.

Mr. A.V. Deshmukh, APP for State.

CORAM : T.V. NALAWADE, J.
DATED : 24th February, 2015.

ORDER :

1. The application is filed for suspension of substantive sentence. The appellant/applicant is convicted and sentenced for offence punishable under sections 307 etc. of I.P.C. and maximum sentence of R.I. of five years is given.

2. The learned counsel for the applicant made a statement that he has been behind bars in this crime for more than two months. The learned counsel for the applicant submitted that fine amount has been already deposited and the appellant was on bail during trial. Hard and blunt object was

used which caused fracture to skull. In view of these circumstances, this Court holds that substantive sentence needs to be suspended.

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

[T.V. NALAWADE, J.]

SSC/