

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1952 OF 2015 IN
CRIMINAL APPEAL NO. 349 OF 2015

Vijay S/o Gangadhar Kendre .. Applicant

Vs.

The State of Maharashtra .. Respondent

Mr. M.S. Karad, Advocate for the applicant

Mr. V.P. Kadam, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.

DATE : 12/06/2015

ORAL ORDER :

Heard both sides.

2. Learned A.P.P. wavier notice for the respondent/State.

3. Considering the fact that the present applicant was tried for the offence punishable under section 302 r/w. 34 of the Indian Penal Code, he was however convicted for the offence punishable under section 304 Part II of the Indian Penal Code and sentenced to suffer rigorous imprisonment for a period of seven (7) years and to pay fine of Rs.2,000/- and considering the nature

of the injuries as found in the evidence of the Medical Officer, this is not a fit case for suspending the substantive sentence and releasing the applicant on bail.

4. In the circumstances, the criminal application is dismissed.

5. Preparation of the paperbook be expedited.

6. Upon preparation of the paperbook, the appeal (Criminal Appeal No. 349 of 2015) be fixed for final hearing.

[M.T. JOSHI]
JUDGE

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