

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3901 OF 2015 IN
CRIMINAL APPEAL NO. 536 OF 2015

Avin S/o Gangarao Kedare,
Age 30 years, Occu. Private Service,
R/o Senjapur, Tal. Parner,
District Ahmednagar,
At present near Atop Hill
Church, Mumbai - 37

.. Applicant
(Orig. Accused No.3)

Vs.

The State of Maharashtra
Through Police Station Officer,
Police Station, Ambhora,
Tal. Ashti, District Beed

.. Respondent
(Orig. Complainant)

Mr. S.S. Thombre, Advocate for the applicant
Mr. S.R. Palnitkar, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.
DATE : 31/07/2015

ORAL ORDER :

Heard.

2. Notice.

3. Learned A.P.P. waives notice for the
respondent-State.

4. The applicant, who has been convicted by the
learned Additional Sessions Judge, Beed vide judgment

and order dated 15/07/2015 passed in Sessions Case No. 132 of 2014, for the offences punishable under section 420 r/w. 34, 489-A r/w. 34 and 489-B r/w. 34 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for 3 years and to pay fine of Rs.3,000/-, in default to suffer simple imprisonment for 1 month for the offence punishable under section 420 r/w. 34 of the Indian Penal Code, to suffer rigorous imprisonment for 5 years and to pay fine of Rs.5,000/-, in default to suffer simple imprisonment for 3 months for the offence punishable under section 489-A r/w. 34 of the Indian Penal Code and to suffer rigorous imprisonment for 5 years and to pay fine of Rs.5,000/-, in default to suffer simple imprisonment for 3 months for the offence punishable under section 489-B r/w. 34 of the Indian Penal Code, is praying for suspension of the substantive sentences during the pendency of the appeal and his release on bail.

5. Perused the impugned judgment and heard the arguments advanced by both sides.

6. Learned counsel for the applicant/appellant submits that the judgment would show that the accused

nos.1 and 2 may be concerned with the possession or using the fake currency notes and the only evidence against the present applicant is that, the co-accused had shown the shop of the present applicant/appellant.

7. Learned counsel for the applicant submits that fine amount is already deposited.

8. Finding that the hearing of the appeal may take its own time, the substantive sentences awarded to the present applicant are hereby suspended. The applicant be released on bail, upon his execution of P.R. bond in the sum of Rs.30,000/- (Rs. Thirty Thousand) and also upon furnishing surety in the like amount.

9. Criminal Application stands disposed of accordingly.

[M.T. JOSHI]
JUDGE

arp/