

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.4435/2015

Santosh s/o Marotirao Shingare
Versus
The State of Maharashtra

...
Shri N.V.Gaware, Advocate for applicant.
Shri P.N.Mulay, APP for respondent State.
...

CORAM : M.T.JOSHI,J.
DATED : 27TH AUGUST, 2015

ORDER :-

Heard both sides.

2] The present applicant who is convicted by learned Sessions Judge, Ambajogai for the offences punishable u/s 306 of IPC and directed to suffer rigorous imprisonment of five years and to pay fine of Rs.2000/- is praying for suspension of the substantive sentence and for his release on bail.

3] The prosecution case would show that marriage between present applicant and one Bhagyashri was settled. Thereafter, he started saying her that she was not of his match and therefore, he would not be performing marriage with her. Though prosecution is alleging that the father of said Bhagyashri had paid an amount of Rs.3 lakh to the applicant, for purchase of gold for the marriage, learned Sessions Judge has not believed the said case.

4] Considering all the facts on record and finding that the hearing of the appeal itself may take its own time, the substantive sentence is hereby suspended. The fine amount is already paid. The applicant be released on bail on his execution of PR bond of Rs.20,000/- and upon furnishing solvent surety in the like amount. Application is disposed of. Hamdast allowed.

(M.T.JOSHI,J.)

umg/