

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

CRIMINAL APPLICATION NO.5711/2015

IN

CRIMINAL APPEAL NO.12/2015

BALU VISHWANATH DAMALE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

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Mr. A.K.Bhosale, Advocate for applicants.
Mr. S.G.Karlekar APP for Respondent State

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CORAM : S V GANGAPURWALA & V.K. JADHAV, JJ.

Dated: December 21, 2015

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PER COURT :-

1. This is an application for suspension of substantive sentence awarded to the present applicants who are accused nos. 2 and 3.
2. We have heard the learned counsel for the applicants. Present applicants were in jail during the trial. Specific acts are attributed to these applicants in assaulting the deceased thereby causing the death of the deceased.
3. No doubt, entire evidence will have to be re-appreciated at the time of final hearing of the appeal. However, considering the judgment, we are not inclined to entertain the present application, however, hearing of the appeal is expedited.
4. Application is disposed of.

(V.K. JADHAV, J.)

(S V GANGAPURWALA, J.)

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aaa/-