

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL APPLICATION NO. 6005 OF 2015
IN REVN/201/2015

SANJAY TUKARAM PAUL
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Sudarshan J. Salunke.
APP for Respondent : Mr. U. S. Mote.
...

CORAM : **INDIRA K. JAIN, J.**

DATE : 03rd December, 2015.

ORAL ORDER:

. Heard Mr. S. J. Salunke, learned counsel for the Applicant
and Mr.U.S.Mote, learned APP for the State.

2 Applicant was convicted for the offences punishable under
Sections 454 and 380 of the Indian Penal Code by the judgment and
order dated 4th December, 2012 passed by the learned Judicial
Magistrate First Class, Palam in R.C.C. No.429 of 2008. Being
aggrieved thereof, Applicant preferred Criminal Appeal No.2 of 2013.
Leaned Additional Sessions Judge, Gangakhed vide order dated 12th
October, 2015 confirmed the judgment and order of conviction passed
by learned Judicial Magistrate First Class, Palam and dismissed the
appeal. Hence this application.

3 Considering the nature of accusations against Applicant, gravity of offences, evidence adduced by prosecution and the reasonings recorded by the Courts below this Court is inclined to allow the application. Hence the following order –

ORDER

- I. Criminal Application No.6005 of 2015 is allowed.

- II. The impugned order of substantive sentence of imprisonment of Applicant Sanjay Tukaram Paul is suspended till the decision of Criminal Revision Application No.201 of 2015 on furnishing P.R. and S.B. of Rs.15,000/- (Rupees Fifteen Thousand Only) each.

[INDIRA K. JAIN, J.]

ndm