

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

CRIMINAL APPLICATION NO. 6689 OF 2015
IN REVN/223/2015

MAROTI MUNJAJI IMADE AND ORS
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicants : Mr. Subhash V. Mundhe.
APP for Respondent : Mr. U. S. Mote.

...

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

DATE : 14th December, 2015.

ORAL ORDER:

. Issue notice to Respondent.

2 Learned APP waives service of notice for sole Respondent.

3 Here is an application for suspension of sentence passed on 1st December, 2015 by the learned Additional Sessions Judge, Gangakhed, District Parbhani in Criminal Appeal No.19 of 2013.

4 Heard Mr. S. V. Mundhe, learned counsel for Applicants and Mr. U. S. Mote, learned APP for Respondent / State.

5 Perused the order in R.C.C. No.106 of 2010 passed on 1st April, 2013 by learned Judicial Magistrate First Class, Gangakhed, District Parbhani and the impugned judgment and order passed by the learned Additional Sessions Judge, Gangakhed.

6 Applicants were acquitted by the order passed by learned Judicial Magistrate First Class. In appeal the order of acquittal was reversed and the Applicants were convicted.

7 In this view of the matter the substantive sentence of imprisonment needs to be suspended till the decision of criminal revision application. Hence the following order –

ORDER

- I. Criminal Application No.6689 of 2015 is allowed.
- II. The execution and operation of substantive sentence of imprisonment passed on 1st December, 2015 by the learned Additional Sessions Judge, Gangakhed in Criminal Appeal

No.19 of 2013 is suspended till the decision of Criminal Revision Application No.223 of 2015 on Applicants furnishing P.R. and S.B. of Rs.15,000/- (Rupees Fifteen Thousand only) each before the Trial Court.

[INDIRA K. JAIN, J.]

ndm