

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.573 OF 2016
IN
CRIMINAL APPEAL NO.35 OF 2016

Bhaskar Nathu Patil,
Age 72 years, Occ. Retired,
r/o. Plot No.6, Near Mahir
Hospial, Old Agara Road,
Dhule

..Applicant

Versus

The State of Maharashtra,
Through Police Inspector
(CID-Nashik), Dhule City
Police Station, Dhule

..Respondent

AND
CRIMINAL APPLICATION NO.574 OF 2016
IN
CRIMINAL APPEAL NO.37 OF 2016

Jagannath Bapurao Pawar,
Age 68 years, Occ. Retired,
Professor Colony,
Palsikar Plot No.18,
Wadi Bhokar Road, Deopur,
Dhule

..Applicant

Versus

The State of Maharashtra,
Through Police Inspector
(CID-Nashik), Dhule City
Police Station, Dhule

..Respondent

--

In both the applications :-

Mr.D.J.Patil, advocate i/b. Mr.N.B.Suryawanshi,
advocate for applicants

Mr.R.V.Dasalkar, A.P.P. for respondent - State

--

CORAM : M.T. JOSHI, J.

DATE : JANUARY 28, 2016

PER COURT :

Heard.

2] Issue notice to the respondent - State.

Learned A.P.P. waives notice.

3] By these applications, the applicants/
appellants i.e. original accused nos.13 and 5,
respectively, who have been convicted and
sentenced by learned Special Judge, Dhule in
Special Case No.7 of 1991, are praying for
suspension of the substantive sentences.

4] Applicant - Bhaskar Patil in Criminal
Application No.573 of 2016, was convicted for the

offences punishable under Section 409, 467, 477-A read with 120-B of Indian Penal Code; and Section 13(1)(c)(d) read with 13(2) of the Prevention of Corruption Act read with Section 120-B of Indian Penal Code and directed to suffer rigorous imprisonment for the period between two to three years on each count.

. Applicant - Jagannath Pawar in Criminal Application No.574 of 2016, was convicted for the offences punishable under Section 120-B and 411 read with Section 109 of Indian Penal Code and directed to suffer rigorous imprisonment for the period between two to three years on each count.

. The sentences awarded to both applicants were directed to run concurrently.

5] Learned counsel for the applicants/appellants makes a statement that the sentences were already

suspended by the learned Special Judge till filing of the appeal. He submits the fine amount is already deposited.

6] In the circumstances, considering the fact that short term sentences were awarded to the applicants by the learned Special Judge, the substantive sentences deserve to be suspended, during pendency of the appeals.

7] Hence, the following order :-

A] Both the Criminal Applications are hereby allowed.

B] The substantive sentences of both the present applicants, are hereby suspended, during pendency of the appeals.

C] The applicants/appellants be released on bail upon their executing P.R. bond in the sum of

Rs.20,000/- (Rs.Twenty Thousand) each and also upon furnishing surety each in the like amount, during pendency of the appeal. Humdast allowed.

D] The applications are disposed of accordingly.

[M.T. JOSHI, J.]

kbp

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

CRIMINAL APPEAL NO.35 OF 2016

Bhaskar Nathu Patil,
Age 72 years, Occ. Retired,
r/o. Plot No.6, Near Mahir
Hospial, Old Agara Road,
Dhule

..Appellant

Versus

The State of Maharashtra,
Through Police Inspector
(CID-Nashik), Dhule City
Police Station, Dhule

..Respondent

AND

CRIMINAL APPEAL NO.37 OF 2016

Jagannath Bapurao Pawar,
Age 68 years, Occ. Retired,
Professor Colony,
Palsikar Plot No.18,
Wadi Bhokar Road, Deopur,
Dhule

..Appellant

Versus

The State of Maharashtra,
Through Police Inspector
(CID-Nashik), Dhule City
Police Station, Dhule

..Respondent

--

In both the appeals :-

Mr.D.J.Patil, advocate i/b. Mr.N.B.Suryawanshi,
advocate for appellants

Mr.R.V.Dasalkar, A.P.P. for respondent - State

--

CORAM : M.T. JOSHI, J.
DATE : JANUARY 28, 2016

PER COURT :

Heard.

2] Both the appeals are **admitted**. Learned A.P.P.
waives notice for the respondent - State.

3] Printing of the paper book is dispensed with.

[M.T. JOSHI, J.]

kbp