

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1332 OF 2016
IN
CRIMINAL REVISION APPLICATION NO. 56 OF 2016

RAMA S/O LAXMAN ANDHALE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

.....
Advocate for Applicants : Mr. S. S. Thombre
APP for Respondent-State : Mr. G. O. Wattamwar
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CORAM : V. K. JADHAV, J.

DATED : 01st MARCH, 2016

PER COURT :-

1. The applicants-original accused have been convicted by the 9th Judicial Magistrate First Class, Beed by order dated 08.07.2013 in R.C.C. No.750 of 2009 for the offence punishable under Section 324 r/w 34 of I.P.C. and sentenced to suffer rigorous imprisonment for three months. The applicants-original accused are also convicted for the offence punishable under Section 323 r/w 34 of I.P.C. and sentenced to suffer simple imprisonment for one month. Both the sentences are directed to run concurrently. The Additional Sessions Judge, Beed, by order dated 26.02.2016, confirmed the said order and accordingly, dismissed Criminal Appeal No. 95 of 2013.

2. Being aggrieved by the same, the applicants/original accused have preferred Criminal Revision Application No. 56 of 2016 before

this Court and the same is admitted today.

3. Learned counsel for the applicants-accused submits that the applicants-accused were on bail during the course of trial and also during the pendency of the appeal. Learned counsel submits that the applicants-accused have deposited compensation amount before the trial court. In view of this, the following order is passed:

O R D E R

- I. Criminal Application is hereby allowed.
- II. The applicants 1) Rama Laxman Andhale and 2) Ashok Rama Andhale be released on bail on their furnishing P.R. bond of Rs.10,000/- (Rupees Ten Thousand only) each, with one surety in the like amount. Bail before the trial Court.
- III. The substantive part of the sentence passed by the 9th Judicial Magistrate First Class, Beed by order dated 08.07.2013 in R.C.C. No. 750 of 2009 and confirmed by the Additional Sessions Judge, Beed in Criminal Appeal No. 95 of 2013 is hereby suspended till the disposal of Criminal Revision Application No. 56 of 2016.
- IV. Criminal Application is accordingly disposed of.

(V. K. JADHAV, J.)

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