

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

CRIMINAL APPLICATION NO. 1956 OF 2016
IN APEAL/216/2016

KAILAS S/O PRABHAKAR SAVATE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicants : Mr. Upendra B. Bilolikar.
APP for Respondent : Mr. S. D. Ghayal.

...

CRIMINAL APPLICATION NO. 2100 OF 2016
IN APEAL/238/2016

BABAN KONDIBA GADPALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicants : Mr. Ashish B. Shinde.
APP for Respondent : Mr. S. D. Ghayal.

...

CORAM : **INDIRA K. JAIN, J.**
DATE : 12th April, 2016.

P.C.:

. These are the applications for suspension of substantive sentence of imprisonment awarded by the learned Additional Sessions Judge, Bhokar vide judgment and order dated 23rd March, 2016 in Sessions Case No.23 of 2010 (New) and Sessions Case No.104 of 2008 (Old) convicting Applicants of the offences punishable under Sections 147, 148, 452 and 324 read with 149 of the Indian Penal

Code.

2 Heard the learned counsel for parties. Perused impugned judgment and order. Learned counsel for Applicants submits that Applicants were on bail during trial.

3 Considering the short term sentence awarded by Trial Court this Court is inclined to allow the applications. Hence the following order –

ORDER

- I. Criminal Application Nos.1956 and 2100 of 2016 are allowed.
- II. Substantive sentence of imprisonment is suspended till decision of Criminal Appeal Nos.216 and 238 of 2016.
- III. Applicants are released on bail on P.R. and S.B. of Rs.15,000/- (Rupees Fifteen Thousand Only) each.
- IV. Bail before the Trial Court.

[**INDIRA K. JAIN, J.]**