

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

CRIMINAL APPLICATION NO. 2027 OF 2016
IN APEAL/228/2016

SURYABHAN S/O ASHRAJI TANWADE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. N. K. Kakade.
APP for Respondent No.1 : Mr. S. N. Morampalle.
...

CORAM : **INDIRA K. JAIN, J.**
DATE : 13th April, 2016.

P.C.:

. Issue notice to Respondent.

2 Learned APP waives service of notice Respondent No.1.

3 This is an application for suspension of substantive sentence of imprisonment awarded by the learned Additional Sessions Judge, Ahmednagar on 30th March, 2016 in Sessions Case No.219 of 2010 convicting the Applicants of the offences punishable under Sections 436 and 429 read with 34 of the Indian Penal Code.

4 Heard Mr. N. K. Kakade, learned counsel for Applicants and Mr. S. N. Morampalle, learned APP for Respondent No.1. Perused impugned judgment and order.

5 Considering short term sentence awarded by Trial Court and without going into merits of the case this Court is inclined to allow the application. Hence the following order –

ORDER

- I. Criminal Application No.2027 of 2016 is allowed.
- II. Substantive sentence of imprisonment awarded by the Trial Court is suspended till decision of appeal.
- III. Applicants are released on bail on P.R. and S.B. of Rs.15,000/- (Rupees Fifteen Thousand Only) each.
- IV. Fresh bonds shall be executed before the Trial Court.
- V. Parties to act on an authenticated copy of this order.

[INDIRA K. JAIN, J.]