

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

CRIMINAL APPLICATION NO. 2028 OF 2016
IN APEAL/229/2016

SACHIN SHANKAR GARAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Appellant : Mr. Sudarshan J. Salunke.
APP for Respondent : Mr. S. D. Ghayal.
...

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

P.C.:

. Issue notice to Respondent.

2 Learned APP waives service of notice for sole Respondent.

3 This is an application for suspension of substantive sentence of imprisonment awarded by the learned Additional Sessions Judge, Osmanabad on 4th March, 2016 in Sessions Case No.28 of 2015 convicting the Applicants of the offence punishable under Section 325 read with 34 of the Indian Penal Code.

4 Heard the learned counsel for parties. Perused impugned judgment and order.

5 Applicants were tried for the offences punishable under Sections 302, 504 and 506 read with 34 of the Indian Penal Code. Applicants have been acquitted of the said offences. They were however convicted of the offence punishable under Section 325 read with 34 of the Indian Penal Code.

6 Considering the short term sentence 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.2028 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. Bail before the Trial Court.

[INDIRA K. JAIN, J.]