

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

CRIMINAL APPLICATION NO. 2042 OF 2016
IN APEAL/235/2016

KAGAD S/O. MAROTI CHAVAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Abasaheb D. Shinde.
APP for Respondent : Mrs. R. K. Ladda.
...

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 application for suspension of substantive sentence of imprisonment is filed by original Accused who is convicted of the offence punishable under Section 379 of the Indian Penal Code by the learned Additional Sessions Judge, Kopergaon vide judgment and order dated 1st April, 2016 passed in Sessions Case No.45 of 2015.

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

5 In view of 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.2042 of 2016 is allowed.
- II. Substantive sentence of imprisonment awarded by the Trial Court is suspended till decision of appeal.
- III. Applicant is released on bail on P.R. and S.B. of Rs.10,000/- (Rupees Ten Thousand Only) each.
- IV. Bail before the Trial Court.

[INDIRA K. JAIN, J.]

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