

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

CRIMINAL APPLICATION NO. 2181 OF 2016
IN APEAL/253/2016

CHANDRABHAN S/O. SAMBHAJI BARME AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Appellants : Mr. Rajendra S. Deshmukh
APP for Respondent No.1 : Mr. S. D. Ghayal.

...

CORAM : **INDIRA K. JAIN, J.**
DATE : 22nd April, 2016.

P.C.:

. Issue notice to Respondents.

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

3 This is an application for suspension of substantive sentence of imprisonment awarded by the learned Additional Sessions Judge, Biloli dated 31st March, 2016 in Sessions Case No.13 of 2015 convicting the Applicants / original Accused Nos.1 and 2 of the offence punishable under Section 7 read with Section 8 of the Protection of Children from Sexual Offences Act and sentencing to suffer rigorous imprisonment for three years with compensation of Rs.5,000/-.

4 Heard Mr. Rajendra S, Deshmukh, learned counsel for

Applicants and Mr. S. D. Ghayal, learned APP for Respondent No.1.

Perused impugned judgment and order.

5 Considering short term sentence imposed by Trial Court and without going into merits of the case this Court is inclined to suspend the substantive sentence of imprisonment till disposal of appeal. Hence the following order –

ORDER

- I. Criminal Application No.2181 of 2016 is allowed.
- II. Substantive sentence of imprisonment awarded by the Trial Court is suspended till the 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.]