

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.6505 OF 2016

IN

CRIMINAL APPEAL NO.701 OF 2016

- 1) Vimalbai Balkisan Gaikwad,
Age-67 years, Occu:Housewife,
- 2) Dnyaneshwar Balkisan Gaikwad,
Age-40 years, Occu:Labour,
- 3) Pappu Balkisan Gaikwad,
Age-37 years, Occu:Driver,

All R/o-Koliwada, Ganpati Ghat,
Tq-Rahuri, Dist-Ahmednagar.

...APPLICANTS

(Ori. Accused Nos.2 to 4)

VERSUS

The State of Maharashtra

...RESPONDENT

...

Mr.Joydeep Chatterji Advocate for Applicants.

Mr.A.B. Girase, Public Prosecutor for Respondent.

...

**CORAM: S.S. SHINDE AND
V.K. JADHAV, JJ.**

DATE : 13TH DECEMBER 2016

ORAL ORDER [PER V.K. JADHAV, J.] :

1. The Applicants - original accused Nos.2 to 4 seeks suspension of substantive sentence of imprisonment awarded by the learned Additional Sessions Judge, Dhule vide Judgment and order dated 10th November 2016 in Sessions Case No.182 of 2014 and for releasing them on bail.

2. The learned Additional Sessions Judge, Dhule, by Judgment and order dated 10th November 2016, convicted the present Applicants - original accused Nos. 2 to 4 for the offence punishable under Section 498-A read with 34 of the Indian Penal Code and sentenced them to undergo rigorous imprisonment for one month each and to pay fine of Rs.3000 (Rupees Three Thousand only) each, and in default of payment of fine to undergo rigorous imprisonment for fifteen days.

3. Learned counsel for the Applicants - original accused Nos. 2 to 4 submits that during

the trial these Applicants were on bail and after conviction they had deposited the fine amount. Learned counsel further submits that even the learned Judge of the trial Court has suspended the order of sentence till the appeal period is over.

4. In view of this, the Application is allowed in terms of prayer clause (B). Applicant No.1 - Vimalbai Balkisan Gaikwad, Applicant No.2 - Dnyaneshwar Balkisan Gaikwad and Applicant No.3 - Pappu Balkisan Gaikwad be released on bail on their furnishing Personal Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with one surety in the like amount by each of them, till the disposal of the Appeal.

5. The Criminal Application stands disposed of, accordingly.

[V.K. JADHAV, J.]

asb/DEC16

[S.S. SHINDE, J.]