

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (APPA) NO.762 OF 2016

IN

CRIMINAL APPEAL NO.434 OF 2016

(Sandeep s/o Tukaram Lande and another ..vs.. The State of Maharashtra, through PSO, PS
Khamgaon, District Buldhana)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.M. Daga, Advocate for the applicants/appellants,
Shri N.B. Jawade, Addl.P.P. for the respondent/State.

CORAM : P.N. DESHMUKH, J.

DATED : 25-11-2016

Issue notice to the non-applicant/State.

The learned Additional Public Prosecutor accepts
notice on behalf of the non-applicant/State.

The learned Counsel for the applicants prays for
suspension of substantive sentences imposed on the
applicants, contending that the applicants were on bail
pending trial and awarded with short sentences.

Perused the impugned judgment. The applicants
are found to be tried as accused Nos.14 and 19 and are
convicted for the offences punishable under Sections
323, 324, 341, 447 read with Section 149 of the Indian
Penal Code and for the offences punishable under
Sections 147 and 148 of the Indian Penal Code. The

maximum sentence imposed upon the applicants is for the Section 324 read with Section 149 of the Indian Penal Code to the extent of rigorous imprisonment for two years and to pay a fine of Rs.750/-, in default to suffer further rigorous imprisonment for one month.

Considering the sentence imposed as aforesaid, as same can be termed as short sentences and as the applicants have deposited fine and were on bail pending trial, their substantive sentences are stated to be suspended by the learned Sessions Judge till filing of the appeal. The criminal application is allowed.

The substantive sentences imposed on the applicants stand suspended.

The applicants shall be released on bail on their executing P.R. Bond in the sum of Rs.20,000/- each with one surety in the like amount for each of them.

The applicants shall mark their presence with Police Station, Khamgaon once in six months pending appeal and shall produce their proof of address and update the same in the event of change in future.

Criminal Appeal No.434 of 2016.

Heard.

Admit.

Call record and proceedings.

JUDGE