

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 3382 OF 2017
IN
CRIMINAL APPEAL NO. 3493 OF 2017
IN
CRIMINAL APPLICATION NO. 3382 OF 2017**

Banobi Naim Khan Pathan

..... APPLICANT

V E R S U S

The State of Maharashtra

..... RESPONDENT

Shri. P.B.Rakhunde, Advocate, for Applicant

Shri. A.P.Jagatkar, Additional Public Prosecutor, for
Respondent-State

CORAM : V.K.JADHAV, J.

DATE : 14TH AUGUST, 2017

ORDER :

It appears that, learned Additional Sessions Judge, Aurangabad, by order dated 07-06-2017 below Exh.4 in Criminal Appeal No. 92 of 2017 pending before it, released the applicant on bail, by suspending the sentence, till the hearing of the appeal on condition that, the applicant/appellant shall deposit 50% amount of compensation before the court.

2] Learned APP submits that, the learned Magistrate convicted the present applicant and further directed to pay compensation of Rs. 2,00,000/- (Rs.Two lakhs only) to the victim. However, the learned Additional Sessions Judge, Aurangabad, by its impugned order dated 07-06-2017, suspended the sentence till the hearing of appeal on condition that the applicant/appellant shall deposit 50% amount of compensation before the Court. The applicant has even challenged the said order also. I do not find any justifiable reason to consider this application. The learned Additional Sessions Judge has suspended the sentence on condition to deposit 50% of the amount of the compensation as awarded by the learned Magistrate. In view of the same, I do not find any substance in this application, application is liable to be rejected. Hence, the following order.

O R D E R

1. The application stands rejected.
2. Pending Criminal Application No. 3493 is also disposed of.

[V.K.JADHAV, J.]