

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Criminal Appeal No.468 of 2018
(Sunil Tukaram Parve and ors. .vs. The State of Maharashtra through Station
Officer, P.S. Loni, Amravati)

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

Mr. C.A. Babrekar, Advocate for Appellants.
Mrs. Geeta Tiwari, APP for Respondent.

CORAM : Manish Pitale, J.
DATED : July 27, 2018.

Heard Mr. Babrekar, learned counsel for the appellants.

Although the appellants/original accused were charged for an offence punishable under Section 307 read with 34 of the Indian Penal Code (IPC), the trial Court by the impugned judgment and order has convicted them under Section 324 read with 34 of the IPC and sentenced them to rigorous imprisonment for six months.

Admit.

Call for R. & P.

Mrs. Geeta Tiwari, learned APP waives service for the respondent-State.

Criminal Application No. 742 of 2018.

Heard Mr. Babrekar, learned counsel for the applicants/appellants and Mrs. Geeta Tiwari, learned APP for the respondent-State, who was served with the copy of this application.

By the impugned judgment and order, the applicants have been sentenced to suffer rigorous imprisonment for a period of six months. During the pendency of the trial, the applicants had been in jail from 20.12.2015 to 2.1.2016. Since the sentence awarded to the applicants is only of six months, part of which they have already undergone, it would be in the interest of justice to allow this application. Hence this application is allowed and the sentence imposed on the applicants is suspended on the conditions that were imposed on the applicants when they were granted bail during the trial.

JUDGE

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