

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

**CRIMINAL APPLICATION NO.6 OF 2021
IN APEAL/54/2019
WITH CRIMINAL APPEAL NO. 54 OF 2019
WITH APPLN/1023/2020 IN APEAL/54/2019**

SAMPAT @ HARICHANDRA S/O. MURLIDHAR GAWALI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Shri Rupesh A. Jaiswal
APP for Respondent – State : Shri K. S. Patil
...

**CORAM : RAVINDRA V. GHUGE AND
B. U. DEBADWAR, JJ.**

DATE : 06TH APRIL, 2021

PER COURT :

CRIMINAL APPLICATION NO.6 OF 2021 :

1. The applicant / appellant prays for suspension of substantive sentence. His appeal challenging the judgment of conviction dated 14-12-2018, in Sessions Case No. 148 of 2012, has been admitted. The learned advocate submits, on instructions, that the applicant would canvas this application after the appeal paper book is received by this Court.

2. In view of the above, we request the learned Additional Sessions Judge, Vaijapur, District Aurangabad to prepare the appeal paper book in Sessions Case No. 148 of 2012, decided on 14-12-2018, as expeditiously as possible, and preferably on or before 31-07-2021. The said paper book shall be transmitted to this

Court, if not already done, along with the original record and proceedings and the muddemal property, if any, by 31-08-2021.

3. After the receipt of the appeal paper book, the applicant would be at liberty to canvas the application for suspension of substantive sentence.

CRIMINAL APPLICATION NO.1023 OF 2020 :

4. In so far as Criminal Application No. 1023 of 2020 is concerned, the applicant convict has prayed for emergency parole. However, he has not completed three years in jail. As such, this application is disposed off.

5. We, however, find it appropriate to record that after the applicant completes three years in prison, and if there is no other legal impediment, he would be at liberty to apply for emergency parole under Rule 19(1)(C).

(B. U. DEBADWAR, J.)

(RAVINDRA V. GHUGE, J.)