

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

CRIMINAL APPLICATION NO. 913 OF 2021

IN

CRIMINAL APPEAL NO. 206 OF 2021

1. Bhaskar s/o Bhikaji Nagare	
2. Chandrakala w/o Bhaskar Nagare	... Applicants
Versus	
The State of Maharashtra	... Respondent

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Mr. N. S. Ghanekar, Advocate for the applicants

Mr. S. W. Munde, APP for the respondent-State

Mr. B. S. Shinde, Advocate for the intervener

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**CORAM : R. G. AVACHAT, J.
(VACATION COURT)**

DATED : 27th MAY, 2021

PER COURT :-

1. This is an application for suspension of the execution of substantive sentence passed vide judgment and order dated 15.03.2021, by the learned Additional Sessions Judge, Aurangabad in Sessions Case No.308/2018.

2. The applicants have been convicted for the offences punishable under Section 498-A and 306 of the Indian Penal Code (I.P.C.) and sentenced to suffer rigorous imprisonment for three years and pay fine of Rs.5,000/-, in default of payment, to suffer simple imprisonment for one month. The applicants have also been

convicted for the offence punishable under Section 306 of the I.P.C. and sentenced to suffer rigorous imprisonment for seven years and to pay fine of Rs.10,000/-, in default of payment, to suffer simple imprisonment for two months.

Substantive sentences of imprisonment are to run concurrently.

3. Heard.

The learned APP and the learned Advocate for the intervener strongly opposed to grant stay to the execution of the sentences. They would submit that the trial Court has observed that the applicants have made demand of Rs.50,000/- (Rupees Fifty Thousand) for construction of home. They would, therefore submit that there is evidence indicating the applicants to have ill treated their daughter-in-law and thus, compelled her to commit suicide.

4. Perused the impugned judgment and the evidence relied upon. The applicants are the parents-in-law of the deceased. Both of them are more than 50 years of age. Both the applicants were on bail pending the trial. It will take time for the appeal to come up for hearing. It is therefore desirable to grant the application. Hence, the following order:-

ORDER

- (i) The application is allowed in terms of prayer clause [B].
- (ii) Pending the appeal, the substantive sentence imposed by the trial Court is suspended. The applicants be released on bail on their executing P. R. bond in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) each with surety bond each of the like amount.
- (iii) Bail before the trial Court.

[R. G. AVACHAT, J.]

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