

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
907 CRIMINAL APPLICATION NO.1415 OF 2021
IN APEAL/170/2021 WITH APEAL/170/2021**

ROHIT @ DICHYA S/O. NANA KAMBLE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Gore Ravindra Vitthal
APP for Respondent State: P.N.Kutti

....
CORAM : MANGESH S. PATIL
DATE : 30/07/2021

PER COURT :

Heard the learned advocate for the applicant. Perused the papers.

2] It is really astonishing rather highly objectionable that inspite of having been convicted and the appellant/applicant having failed to impress this Court while preferring the Appeal to suspend the sentence which request was rejected by this Court on 8/4/2021 in Criminal Appeal No.795/2021, without surrendering to suffer the imprisonment he is bold enough to move this application making the same request for suspension of sentence on the ground that the Appeal is not likely to be heard in the near future.

3] In my considered view, no sooner his application for suspension of sentence was rejected by this Court he was under obligation to surrender to suffer the sentence. Without keeping his such obligation he has filed this Application which in my considered view is liable to be dismissed at the threshold.

4] The Application is rejected.

5] Inform the trial Court to immediately issue a Non-Bailable warrant against the appellant-applicant, if he does not surrender.

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(MANGESH S. PATIL, J.)