

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

915 CRIMINAL APPLICATION NO.3014 OF 2021
IN REVN/180/2021

**SURESH DIGAMBAR BORSE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicants : Mr. Sawant Amol S.
APP for Respondents/State : Mr. G.O. Wattamwar
...

**CORAM : M.G. SEWLIKAR, J.
DATE : 15th December, 2021**

PC.:-

Heard.

2. Issue notice to the respondent-state. Learned APP waives notice.
3. Both the Courts below have convicted the applicants under Section 326 of the I.P.C. However, on perusal of the judgment of the Appellate Court, it appears that the injured did not suffer any grievous injury even then conviction under Section 326 of the I.P.C. has been recorded. In view of this, following order is passed:

ORDER

- I) Criminal Application is allowed.

- II) Substantive sentence is suspended till the disposal of the revision.
- III) Applicants be released on PR bond of Rs.15,000/- each with one solvent surety in the like amount each.
- IV) Bail in the trial Court.

[M.G. SEWLIKAR, J.]