

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 671 OF 2021
IN
CRIMINAL APPEAL NO. 167 OF 2021

1. Namdeo Narayan Ghadigaonkar
2. Sakharam @ Anil Pandurang Ghadigaonkar
3. Arun Tukaram Ghadigaonkar
4. Mohan Sitaram Ghadigaonkar
5. Anita Arun Ghadigaonkar
6. Asmita Sakharam Ghadigaonkar
7. Mayuri Mohan Ghadigaonkar

...Applicants

Versus

State of Maharashtra and Anr.

...Respondents

Mr. Rajdeep D. Gude i/b Mr. Khandeparkar and Associates for the Applicants.

Mr. P.H.Gaikwad, A.P.P for the Respondent No.1-State.

CORAM : REVATI MOHITE DERE, J.
DATE : 7th APRIL, 2021

P.C. :

1. At the outset, learned Counsel for the appellants seek leave to amend to implead the complainant as party Respondent. Leave granted. Amendment to be carried out forthwith.

2. Heard learned Counsel for the parties.

3. By this application, the applicants seek suspension of their sentence and enlargement on bail, pending the hearing and final disposal of their appeal.

4. The applicants, vide judgment and order dated 05/02/2020 passed by the learned Designated Special Judge for the SC & ST (Prevention of Atrocities) Act, Sindhudurg-Oros, in Special Case No.2 of 2016, have been convicted for the offence punishable under Section 143, 147, 148 and Sections 324, 341, 504 and 506 r/w 149 of the Indian Penal Code. Vide the said order, the applicants were directed to be released under Section 4 of the Probation of Offenders Act on their entering into a bond of Rs.10,000/- each and surety in the like amount to appear and receive sentence whenever called upon by this Court within a period of one year. The applicants were also directed to pay Rs.5,000/- each to the first informant as an compensation under Section 5 of the Probation of Offenders Act.

The applicants were, however, acquitted of the offences punishable under Section 326 r/w Section 149 of the Indian Penal

Code and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

5. The applicants' appeal has been admitted by a separate order passed today. The fine amounts have been deposited by the applicants.
6. Since, no substantive sentence has been awarded, the question of suspending the sentence and enlargement of the applicants on bail will not arise.
7. The application is accordingly disposed of.

REVATI MOHITE DERE, J.