

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application (APPA) No.231 of 2020
IN
Criminal Appeal No. 2008

Shubham @ Abhijit Babanrao Pathare Vs. State of Maharashtra thr. The Station Officer, Police
Station Kurha, Amravati

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri S.S. Patil, Advocate for the Applicant.
Ms. T.H. Udeshi, APP for the Non-applicant/State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 3rd FEBRUARY, 2021.

The applicant, who has been convicted for offence punishable under Section 354-D(1) of the Indian Penal Code and sentenced to undergo rigorous imprisonment for one year and pay fine of Rs.2,000/-, has filed this application for suspension of sentence pending hearing of the appeal.

Heard learned counsel for the applicant and learned APP for the non-applicant/State.

The sentence imposed against the applicant is of one year and fine of Rs.2,000/-. Considering the nature of the offence alleged, sentence imposed as well as the evidence on record, in my view, this is a fit case to suspend the execution of the sentence till the disposal of the appeal. Hence, the following order:-

- i. The application is **allowed**.
- ii. The execution of sentence imposed *vide* impugned judgment dated 20/02/2020 is suspended till the

disposal of the appeal, subject to the applicant on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand Only) with one surety in the like amount.

iii. The applicant shall remain present in the Court as and when directed.

iv. The criminal application is disposed of.

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Heard. Arguable points are raised. Hence, **admit.**

Ms. T.H. Udeshi, learned APP waives service of notice on behalf of the respondent/State.

Call for the record and proceedings.

Private paper-book to be filed within six months.

(SMT. ANUJA PRABHUDESSAI, J.)