

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

CRIMINAL APPLICATION (APPA) NO.298/2021

IN

CRIMINAL APPEAL NO.198/2021

Amol Vijay Deshmukh and anr

..VS..

State of Mah., thr. PSO Pophali, Taluka Umarkhed, District Yavatmal

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

Court's or Judge's Order

.....

Shri M.M.Ambhore, Counsel for Applicants.
Shri S.P.Deshpande, Addl.PP for the State.

**CORAM : V.M.DESHPANDE &
AMIT B.BORKAR, JJ.**
DATED : JUNE 21, 2021

1. This is an application for suspension of substantive jail sentence and for grant of bail.
2. Appellants, who are husband and father-in-law of deceased Chhaya, were convicted by learned Additional Sessions Judge, Pusad in Sessions Trial No.56/2012 for offence punishable under Section 302 of the Indian Penal Code and they were directed to suffer imprisonment for life.
3. This appeal was admitted by this Court (Coram : Z.A.Haq and Amit B.Borkar, JJ.) on 6.5.2021. While admitting the appeal, record and proceedings were called for and it was ordered that the present application to

be considered after receipt of record and proceedings. Accordingly, the record and proceedings were called.

4. Today, we have heard learned counsel Shri M.M.Ambhore for applicants/appellants and learned Additional Public Prosecutor Shri S.P.Deshpande for the State. We are having an advantage of perusing record and proceedings also with assistance of learned counsel for rival parties.

5. After hearing learned counsel for applicants/appellants in *extenso* and after perusing documents necessary for disposal of deciding this application for bail, when we expressed our opinion that the Court is rejecting the application for suspension of substantive jail sentence and for grant of bail, learned counsel for applicants/appellants submitted that in stead of rejecting the application permission be given to him to withdraw the present application.

6. The prayer made by learned counsel for applicants/appellants for withdrawal of this application for bail is accepted. Consequently, the application is rejected as withdrawn.

7. Since learned counsel for applicants/appellants is withdrawing the application, the Court is not detailing reasons as to why the application for bail is required to be rejected.

8. Since applicants/appellants are in jail, Registry is directed to take immediate steps for preparation of paper

book and after preparation of the paper book, Registry shall place this appeal for final hearing as per its seniority.

JUDGE

JUDGE

!! BRW !!