

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

CRIMINAL APPEAL NO. 194 OF 2021

Ashish s/o Gajanan Bhawarase

...Versus...

State of Maharashtra through PSO, P.S.Wadgaon Road, Yavatmal

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

Court's or Judge's orders

Shri Saurabh Singha, Advocate for the appellant
Ms T.H. Udeshi, A.P.P for respondent/State

CORAM : N.B.SURYAWANSHI, J.

DATE : 04/05/2021

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. Heard.

3. **Admit.**

4. Call for record and proceedings.

5. The learned Additional Public Prosecutor waives service for the respondent/State.

6. This appeal be heard along with Criminal Appeal No. 179/2021.

CRIMINAL APPLICATION (APPA) NO. 292/2021

1. This application is filed for dispensing with the filing of the affidavit of the applicant/appellant.

2. For the reasons stated in the application, the

application is allowed. For the present, filing of the affidavit in support of the application is dispensed with, however, the applicant shall file the affidavit within a period of eight weeks from today.

3. Criminal application is disposed of.

CRIMINAL APPLICATION (APPA) NO. 293 OF 2021

The applicant is convicted by the learned Additional Sessions Judge, Yavatmal in Sessions Case No. 15/2013 for the offences punishable under Sections 365, 368, 344, 346, 357, 324 r/w Section 34 of the Indian Penal Code and substantive sentence of three years imprisonment and fine on all the counts is imposed on the applicant.

2. During the course of trial, the applicant was on bail and he has not misused the facility of bail. The applicant has no criminal antecedents. The learned Trial Court has suspended the substantive sentence imposed on the applicant after pronouncement of the judgment. In that view, the application deserves to be allowed and the same is hereby allowed. The substantive sentence imposed on the applicant is suspended on the same terms and conditions as are imposed by the learned Trial Court.

3. Criminal application is disposed of.

JUDGE