

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

CRIMINAL APPEAL No. 435 OF 2021

(Swapnil Vinayakrao Ghatol VS. State of Maharashtra)

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

Court's or Judge's orders

Mr. Abhay Sambre, Advocate for the applicant.
Mr. A.M.Deshpande, APP for the respondent.

CORAM : VINAY JOSHI, J.
DATED : 14-10-2021

Heard.

2. Admit.
3. The learned APP waives service of notice on behalf of the respondent.
4. Call for record and proceedings.

Criminal Application (APPA) 599/2021

1. Heard.
2. This is an application seeking suspension of execution of sentence passed in Special (Atrocity) Case No.128/2015 by Special Judge, Amravati, vide its judgment and order dated 30.9.2021. The appellant was convicted by the Trial Court for the offence punishable under Sections 354-A(1)(i)(ii) and 509 of the Indian Penal Code. The Trial Court has imposed sentence to undergo R.I. for one year under each count and total fine of Rs. 50,000/- has been imposed.

3. It is submitted that during trial, the appellant was on bail. The appellant has deposited entire fine amount in the Trial Court on 1.10.2021. Post conviction, the Trial Court has suspended execution of sentence till the appeal period. The appeal will take its own time for disposal. Having regard to the quantum of sentence, it is desirable to suspend its execution.

4. In view of that, execution of substantive sentence passed in Special (Atrocity) Case No.128/2015 by Special Judge, Amravati, vide its judgment and order dated 30.9.2021 is hereby suspended till disposal of the appeal.

5. In the meantime, the appellant is released on bail on the same terms and conditions as imposed by the Trial Court.

6. Application stands disposed of.

JUDGE

ambulkar