

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

938 CRIMINAL APPLICATION NO.209 OF 2022
IN REVN 18/2022

1. SAHEBRAO NARAYAN GUNDIBANE
2. SHRIRAM SAHEBRAO GUNDIBANE
3. JAIRAM MURLIDHAR BHUTAPALLE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Janakwade Shivsamb N.
APP for Respondents/State : Mrs. R.P. Gour
...

CORAM : M.G. SEWLIKAR, J.
DATE : 1st March, 2022

PC.:-

Heard.

2. The trial Court acquitted the applicantS under Section 306, 323, 504, 506 read with Section 34 of the I.P.C. but convicted them under Section 323 of the I.P.C. and sentenced to suffer simple imprisonment for one month each with fine of Rs.1000/- each in default to suffer simple imprisonment for ten days. Amount of fine is paid. Applicants were on bail during the trial.

3. In view of this, considering the quantum of sentence and that the revision is not likely to come up for hearing in near future, I am inclined to suspend the substantive sentence. Hence the following order is passed:

ORDER

- I) Application is allowed.
- II) Substantive sentence is suspended till the disposal of the revision.
- III) Applicants be released on PR bond of Rs.15,000/- each with one solvent surety in the like amount each. Bail in the trial Court.

[M.G. SEWLIKAR, J.]