

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

**944 CRIMINAL APPLICATION NO.328 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.33 OF 2022
BHASKAR KARBHARI JADHAV AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

...
Shri. N.C. Garud, Advocate for Applicants
Mr. A.V. Deshmukh, APP for Respondent-State

...
**CORAM : M.G. SEWLIKAR, J.
DATE : 01st FEBRUARY 2022**

PER COURT:

1. Heard.
2. Applicants were convicted by the trial Court under Sections 326 and 324 read with 34 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for three months. Accused No.1 was directed to pay fine of Rs.10,000/-, in default to suffer simple imprisonment for two months. Accused No.2 was released on probation for a period of one year on his entering into a bond of Rs.15,000/- with one surety in the like amount.
3. The Appellate Court set aside the conviction of both the applicants/accused under Sections 326 and 324 of the Indian Penal Code. The Appellate Court convicted the applicants under Section 323 of the Indian Penal Code and sentenced to suffer simple imprisonment for one month

and fine of Rs.1,000/-, in default to suffer simple imprisonment for fifteen days. The Appellate Court confirmed the order of probation of accused No.2.

4. Considering the quantum of sentence, I am inclined to stay the judgment and order of the trial Court, substantive sentence is suspended till the disposal of the revision.

5. The applicants be released on P.R. Bond of Rs.15,000/- each with one solvent surety in the like amount each. Bail before the Trial Court.

6. The application stands disposed off.

[M.G. SEWLIKAR, J.]

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