

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 353 OF 2022 IN
CRIMINAL REVISION APPLICATION NO. 37 OF 2022

1. Sandipan S/o Ashruba Abuj
 2. Bappasaheb S/o Raghunath Samse
- Applicants

Versus

The State of Maharashtra

Respondent

Mr. A.S. Gandhi, Advocate for the applicant.
Mrs. R.P. Gour, APP for respondent/State.

CORAM : M.G. Sewlikar, J.

DATE : 11th FEBRUARY, 2022.

PER COURT :

1. Heard Shri Gandhi, learned counsel for the applicants and Mrs. Gour, learned APP for the State.

2. Applicants have been convicted by the Trial Court under Section 354-A(1) read with Section 34 of the Indian Penal Code and sentenced to suffer Rigorous Imprisonment for one year and to pay fine of Rs. 3,000/-, in default to suffer Simple Imprisonment for one month. Applicants have also been convicted under Section 323 read

with section 34 of the Indian Penal Code and sentenced to suffer Simple Imprisonment for one month.

3. Considering the quantum of sentence and in view of the judgment of the Honourable Supreme Court in the matter of Bhagwan Rama Shinde vs. State of Gujrat, AIR 1999 (SC) 1859, I am inclined to suspend the substantive sentence. Hence the following order :-

ORDER

- i) Application is allowed.
- ii) Substantive sentence is suspended.
- iii) Each of the applicants be released on PR Bond of Rs. 15,000/- (Rs.Fifteen Thousand) with one solvent surety each in the like amount.
- iv) Bail before the Trial Court.
- v) Application stands disposed of.

(M. G. SEWLIKAR)
Judge