

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

**CRIMINAL APPLICATION NO.1068 OF 2022 IN
CRIMINAL APPEAL NO.226 OF 2022**

Shaikh Abdul Gani Shaikh Kamruddin
and others

... APPLICANTS

VERSUS

The State of Maharashtra

... RESPONDENT

.....

Mr. Swapnil S. Patil, Advocate for applicants
Mrs. G.L. Deshpande, A.P.P. for respondent

.....

CORAM : R. G. AVACHAT, J.

DATE : 23rd MARCH, 2022.

PER COURT :

Head. Issue notice to respondents. Learned
A.P.P. waives service for the respondent – State.

2. The applicants have been convicted for the offence punishable under Sections 143 and 147 read with Section 149 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for six months and to pay fine of Rs.1000/- each, in default to suffer simple imprisonment for 15 days on each count. The applicants are also convicted for the offence punishable under Section 326 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for five years and

to pay fine of Rs.2000/-, in default to suffer S.I. for one month. The applicants are also convicted for the offence punishable under Section 323 of the Indian Penal Code and sentenced to suffer S.I. for 15 days. The applicants are also convicted for the offence punishable under Section 506 read with Section 149 of the Indian Penal code and sentenced to suffer R.I. for 6 months and to pay fine of Rs.1000/-, in default to suffer S.I. for 15 days. All the substantive sentences have been directed to run concurrently.

3. It is a short term sentence. The appeal filed by the applicants is not likely to come up for final hearing in near future. Therefore, pending the appeal, the substantive sentences of imprisonment imposed by learned Additional Sessions Judge, Jalgaon in Sessions Case No.64/2015, by judgment and order dated 10/3/2022 is suspended and the applicants be released on bail on their executing P.R. bond in the sum of Rs.15,000/- (Rupees fifteen thousand) each with one surety in the like amount.

(R. G. AVACHAT)
JUDGE

fmp/-