

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

**CRIMINAL APPLICATION NO. 1540 OF 2022
IN
CRIMINAL APPEAL NO. 342 OF 2022**

Sudam Eknath Munde

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. S.E. Shekade, Advocate for applicant
Mr. R.B. Bagul, A.P.P. for respondent – State
....

**CORAM : R.G. AVACHAT, J.
DATED : 05th MAY, 2022**

PER COURT :

1. Heard.

2. The applicant has been convicted for the offence punishable under Section 15(2) of the Indian Medical Council Act, 196 and sentenced to suffer simple imprisonment for one year and to pay fine of Rs.500/-, in default, to suffer simple imprisonment for fifteen days. The applicant has further been convicted for the offence punishable under Section 33(2) of the Maharashtra Medical Practitioners Act, 1961 and sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs.2,000/-, in default, to suffer simple imprisonment for one month. The applicant has also been

convicted for the offence punishable under Section 353 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for four years and to pay fine of Rs.2,000/-, in default, to suffer simple imprisonment for one month.

4. Learned A.P.P. opposed for grant of suspension of the substantive sentence of imprisonment.

5. The fine amount has been deposited. The applicant has been behind the bars for little over twenty one months (close to two years). Since the appeal is not likely to come up for final hearing in near future, on the condition that the applicant shall not indulge in similar offence, the execution of substantive sentence of imprisonment to stand suspended, pending the appeal. The applicant be released on his executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

6. Criminal application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD