

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

**CRIMINAL APPLICATION NO. 1605 OF 2022
IN
CRIMINAL APPEAL NO. 358 OF 2022**

1. Aau @ Kishor Sanjay Bhaganagare
2. Akshay Sanjay Bhaganagare
3. Sanjay Dattatray Bhaganagare ..APPLICANTS

VERSUS

State of Maharashtra ..RESPONDENT

....
Mr. Akshay Kulkarni, Advocate h/f Mr. A.A. Yadkikar, Advocate for applicants
Mrs. G.L. Deshpande, A.P.P. for respondent - State
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**CORAM : R.G. AVACHAT, J.
DATED : 05th MAY, 2022**

PER COURT :

1. Not on board. Mentioned. Upon mentioning taken on board.
2. Heard.
3. Issue notice to the respondent. Learned A.P.P. waives service of notice for the respondent – State.
4. The applicants have been convicted for the offence punishable under Section 326 read with Section 34 of the Indian Penal Code and

sentenced to suffer rigorous imprisonment for three years each and to pay fine of Rs.3,000/- each, in default, to suffer rigorous imprisonment for three months each. The applicants have further been convicted for the offence punishable under Section 324 read with Section 34 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for two years each and to pay fine of Rs.2,000/- each, in default, to suffer rigorous imprisonment for two months each.

5. The fine amount has been deposited. Considering the quantum of sentence and the fact that the appeal is not likely to come up for final hearing in near future, the execution of substantive sentence of imprisonment to stand suspended, pending the appeal. The applicants be released on their executing P.R. bonds in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with one surety each in the like amount.

6. Criminal application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD