

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

CRIMINAL APPLICATION NO. 2573 OF 2022
IN
CRIMINAL APEAL NO.580 OF 2022

SHUBHAM APPASAHEB DIGHE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Appellant : Mrs. Zaware Suvarna M.
APP for Respondents: Mr.G O Wattamwar

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CORAM : SHRIKANT D. KULKARNI, J.
Dated: August 11, 2022

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PER COURT :-

1. It is an application for suspension of sentence and bail moved by the appellant.

2. Heard Mrs. Zaware, learned counsel for the applicant. Perused the impugned judgment and order of conviction passed in Special Case No.79 of 2019 by the learned Additional Sessions Judge, Ahmednagar whereby the applicant came to be convicted for the offence punishable u/s 354 (D) of the IPC and sentenced to suffer RI for two years and fine of Rs.5,000/- with default stipulation.

aaa/-

3. Learned counsel for the applicant submitted that the applicant has deposited the fine amount with the trial court. She further submitted that, the applicant/accused was on bail during the trial. Even after conviction he was released on bail by the trial court.

4. Learned APP Mr. Wattamwar opposed to grant bail by suspending the sentence.

5. In view of above facts, the application needs to be allowed. There is no reason to keep the applicant behind bars.

6. Considering the facts and circumstance of the case, following order is passed.

O R D E R

- i. The application is hereby allowed.
- ii. The execution of substantive sentence passed against the applicant in Special Case No.79 of 2019 by the Additional Sessions Judge, Ahmednagar dated 19.7.2022 is hereby suspended till final decision of the appeal.

aaa/-

- iii. The applicant shall be released on bail on his furnishing PR Bond in the sum of Rs.20,000/- (Rs. Twenty Thousand) with one solvent surety of the like amount on the following conditions :-
 - a] He shall furnish his in detail address with Cell number with the trial court.
 - b] Bail before the trial court.
- iv. Criminal application is accordingly disposed off.

(SHRIKANT D. KULKARNI, J.)

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