

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

**CRIMINAL APPLICATION NO. 2757 OF 2022
IN
CRIMINAL REVISION APPLICATION NO. 232 OF 2022**

**DINESH VYANKAT KAMBLE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Advocate for Applicant : Mr. Gilche Duryodhan N.
APP for Respondent No.1/State : Smt. G. L. Deshpande

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**CORAM : BHARAT P. DESHPANDE, J.
DATE : 29th AUGUST 2022.**

Per Court :

1. This is an application for suspension of sentence and grant of bail.
2. Heard. learned Counsel for the parties.
3. The Applicant was prosecuted for the offence punishable under Section 354 of the Indian Penal Code (IPC for short) in RCC No. 154/2018. Vide judgment dated 21.02.2019, the learned Magistrate,

First Class, Udgir found the Applicant guilty for the offence punishable under Section 354 of IPC and sentenced him to suffer rigorous imprisonment for one year and to pay fine of Rs.1000/- and in default to suffer simple imprisonment for one month.

4. The Applicant challenged the said conviction before the District Court at Latur. The learned Sessions Judge, at Udgir, Latur dismissed the Criminal Appeal No.4/2019 vide its judgment dated 07.07.2022.

5. The learned Counsel for the Applicant submits that the Applicant was on bail throughout the trial and also during the appeal proceedings. In fact the matter was settled between the parties, however since the offence is not compoundable, the application for compounding of offence was rejected.

6. Considering the above submissions and the grounds raised in the Revision Application, the substantive sentence needs to be suspended till pendency of the Revision. Hence the following order.

ORDER

- (i) The Criminal Application stands allowed.
 - (ii) The substantive sentence awarded by the Courts below is hereby suspended till the pendency of the Revision Application.
 - (iii) The Applicant shall be released on bail on furnishing Personal Bond of Rs.10,000/- with one surety in the like amount to the satisfaction of the learned Magistrate.
7. With these, the Criminal Application is disposed of accordingly.

[BHARAT P DESHPANDE, J.]

Najeeb.