

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 CRIMINAL APPLICATION NO. 2851 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.250 OF 2022

1) Nitin s/o Balaji Puyad
2) Ugrasen s/o Shivaji Puyad
3) Maroti s/o Shivaji Puyad
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Gadegaonkar Bharat N.
APP for Respondent: Mrs. Geeta L. Deshpande
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CORAM : BHARAT P. DESHPANDE, J.
DATED : 25th AUGUST 2022

PER COURT:-

1. This is an application for suspension of sentence and grant of bail.
2. Heard learned counsel for the applicants and learned A.P.P. for the respondent State.
3. The applicants alongwith the main accused Balaji were prosecuted before the learned Magistrate at Umri for the offences punishable under Sections 353, 342, 201, 504, 506 r.w. 34 of I.P.C. vide R.C.C. No. 19 of 2013. The learned Magistrate vide its judgment and order of conviction dated 3.3.2018 found the present applicants guilty of all the said offences and sentenced them for imprisonment and the fine for respective offences were imposed.

4. The applicants preferred criminal appeal No. 4 of 2018 before the Sessions court at Bhokar, District Nanded. The learned Additional Sessions Judge, Bhokar vide its judgment dated 18.8.2022 dismissed the appeal.

5. The learned counsel for the applicants submitted that there are arguable grounds raised in the revision application and that all the applicants were on bail during trial as well as during pendency of the appeal. He therefore, prayed that the substantive part of sentenced be suspended.

6. On perusal of the judgments passed by the courts below and grounds raised in the revision application, it seems that there are arguable grounds which need to be considered at the time of admission. Till then the substantive part of sentence needs to be suspended. Hence, I pass the following order:-

O R D E R

- I. Criminal application stands allowed.
- II. The substantive sentence awarded by the courts below vide impugned judgment and orders are suspended till disposal of the revision application.

III. The applicants shall be released on bail on furnishings personal bond of Rs.15,000/- each with one solvent surety each of the like amount to the satisfaction of the learned Magistrate.

IV. Criminal application therefore, stands disposed of.

(BHARAT P. DESHPANDE, J.)

rlj/