

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

**CRIMINAL APPLICATION NO. 3581 OF 2022
IN
CRIMINAL APPEAL NO. 810 OF 2022**

1. Shashikant Keshav Dhapre
2. Shyamkant Keshav Dhapre
3. Sujit Shamkant Dhapre .. Applicants

Versus

The State of Maharashtra .. Respondent

Ms. Siddhi Kothari, Advocate for the Applicants.

Mr. S. W. Munde, APP for Respondent.

CORAM : KISHORE C. SANT, J.

DATED : 22nd DECEMBER, 2022.

P C. :-

1. This is an application seeking suspension of sentence awarded by the learned Special Judge SC and ST (POA) Act, Aurangabad dated 04.10.2022 in Sessions Case No. 239/2010 by which the applicants are held guilty for the offence punishable under Section 324 of the Indian Penal Code (for short "I.P.C.") and are directed to suffer rigorous imprisonment of one (01) month and to pay fine of Rs. 5,000/- (Rs. Five Thousand only) each. They are acquitted from the offences punishable under Sections 143, 147, 148, 341, 323, 506, 504 r/w

Section 149 of the I.P.C. and under Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Learned advocate for the applicants submits that the appeal is already admitted by order dated 14.12.2022.

3. During the pendency, the applicants were on bail. There is no complaint of misuse of the liberty. The fine amount is already paid on the date of judgment before the learned Trial Court. Their sentence is also suspended. Hence, the following order.

ORDER

(I) The Criminal Application No. 3581/2022 is allowed.

(II) The sentence awarded by the learned Special Judge SC and ST (POA) Act, Aurangabad in Sessions Case No. 239/2010 by order dated 04.10.2022 is suspended pending appeal.

(III) The criminal application stands disposed off.

(KISHORE C. SANT, J.)

PS.B.