

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

CRIMINAL APPLICATION NO. 3849 OF 2022

IN

CRIMINAL APPEAL NO. 875 OF 2022

ASHOK MADHUKAR SHINDE AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Appellants : Mr. Pande Dipesh D

APP for Respondent/State : Smt. D. S. Jape

...

CORAM : KISHORE C. SANT, J.**DATE : 25th NOVEMBER 2022.****Per Court :**

1. This is an application seeking suspension of sentence awarded by the learned Additional Sessions Judge, Ambajogai District Beed by judgment and order dated 18.10.2022 in Sessions Case No. 20/2015. The Applicants are convicted for the offences punishable under Sections 307, 504, 120(B) read with Section 34 of the Indian Penal Code and Section 4 punishable under Section 25 of the Indian Arms Act. For the

offence punishable under Section 324 of IPC, both the Applicants are sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs.10,000/- each, in default to suffer further rigorous imprisonment for a period of two months. For the offence punishable under Section 323 of IPC, both the Applicants are sentenced to suffer rigorous imprisonment for one year and to pay fine of Rs.1000/- each, in default to suffer further rigorous imprisonment for one month. Both the Applicants are thus, before this Court.

2. It is submitted that both the Applicants were on bail during the trial on the date of conviction. Their sentence is suspended by the learned Sessions Judge. They have already paid fine amount total of Rs.22000/- in the Court.

3. Considering the sentence is a short sentence and the appeal is not likely to be heard in near future, this Court deems it fit to suspend the sentence, as awarded by the learned Sessions Judge. Hence the following order.

ORDER

- (i) The sentence is suspended till further order.
- (ii) The Applicants shall be released on bail on furnishing fresh P. R. Bond on the same terms and conditions, as they were released during the trial.
- (iii) Bail bond to be furnished before the trial Court.
- (iv) With this, the Criminal Application is disposed off.

[KISHORE C. SANT, J.]

Najeeb.