

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO.193 OF 2022

Aniruddha @ Kallu Ramakant Tiwari and another

Versus

The State of Maharashtra, through P.S.O., P.S. Mankapur, Nagpur.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Gajendra Saoji, Advocate for the Appellants

Shri S.A.Ashirgade, APP for the State/Respondent.

CORAM : ANIL S. KILOR, J.

DATED : 01st APRIL, 2022.

1. Heard.
2. **Admit.**
3. Call for record and proceedings.
4. Shri S.A. Ashirgade, learned A.P.P. waives service of notice for the Respondent/State.

CRIMINAL APPLICATION (APPA) NO. 241/2022

1. This is an application for suspension of sentence and for grant of bail.
2. The applicants have been convicted for the offences punishable under Section 353 and 332 read with Section 34 of the Indian Penal Code, thereby the applicants are directed to suffer rigorous imprisonment for one year and to pay fine of Rs.1000/- each and in default to suffer rigorous imprisonment for 15 days.

3. Having gone through the findings recorded by the learned Sessions Court while convicting the applicants and on perusal of the oral evidence, I am of the opinion that in this case re-appreciation and reappraisal of the evidence is necessary. Moreover, as there is no likelihood that this matter would come up for hearing in near future, the present application needs to be allowed. Hence, I pass the following order:

- i] The substantive sentence imposed by the learned Additional Session Judge, Nagpur in Session Case No. 279/2019 vide judgment dated 07/03/2022, is suspended till disposal of the appeal;
- ii] The appellants/applicants shall be released on bail on executing P.R. Bond for Rs.15,000/- each with one solvent surety in the like amount.

The Criminal Application is **disposed** of, accordingly.

[JUDGE]