

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

CRIMINAL APPEAL NO.190 OF 2022

Lakhan Manohar Ladi and another. **Versus** The State of Maharashtra, through P.S.O.,
P.S. Sawangi (Meghe), Dist. Wardha..

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

Court's or Judge's Order

Shri R.R.Vyas, Advocate for the Appellants.

Shri S.D.Sirpurkar, 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 Shirpurkar, learned A.P.P. waives service of notice for the Respondent/State.

CRIMINAL APPLICATION (APPA) NO. 237/2022

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 Sections 307, 341 and read with Section 34 of the Indian Penal Code and applicants are sentenced to suffer simple imprisonment for a period of one month and pay fine of Rs. 500/- and in default, to suffer simple imprisonment for a

period of one week for the offence punishable under Section 341 read with Section 34 of the Indian Penal Code the applicants also sentenced to suffer rigorous imprisonment for a period of 5 years and pay fine of Rs. 1000/- for the offence punishable under Section 307, and in default, to undergo simple imprisonment for a period of three month .

3. Having gone through the findings recorded by the learned Sessions Court while convicting the appellants/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, Wardha in Session Case No. 31/2020 vide judgment dated 25/03/2022, is suspended till disposal of the appeal;
- ii] The appellant/applicants shall be released on bail on executing P.R. Bond for Rs.15,000/- each with one solvent surety each in the like amount.

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

[JUDGE]