

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

CRIMINAL APPEAL NO.553 OF 2022

Surendra s/o Shivram Khotele. VS. State of Maharashtra and another

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Shri S.G. Karmarkar, learned Advocate for the appellant.
Shri M.J. Khan, learned APP for the respondent No.1/State.

**CORAM : G. A. SANAP, J.
DATE : 24.08.2022**

1. Heard learned Advocate for the appellant.
2. Admit.
3. Shri M.J. Khan, learned APP waives service of notice for respondent No.1/State.

CRIMINAL APPLICATION NO.708 OF 2022

1. This is an application for suspension of substantive sentence. The appellant has been convicted for the offences punishable under Sections 332 and 335 of the Indian Penal Code and under Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989. Appellant has been sentenced to suffer rigorous imprisonment for one month for each of the offences.
2. Learned Advocate for the appellant submits that on the date of judgment itself learned trial Court has suspended the sentence and granted bail to the appellant.

3. I have heard learned APP for the State.
4. Considering the term of sentence and the fact that sentence has already been suspended by learned trial Judge, it would be just and proper to grant bail to the appellant.
5. The substantive sentence as above shall remain suspended during the pendency of appeal. The appellant shall be released on bail by furnishing P.R. bond in the sum of Rs.25,000/- (Rs. Twenty Five Thousand Only) and one surety in like amount before the trial Court.
6. Considering the quantum of sentence, it would be necessary to issue notice of this application to the respondent No.2.

JUDGE

manisha