

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPEAL (APEAL) NO. 737 OF 2022

Ajay Ramuji Ghavghave .Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr L. B. Thawkar, Advocate for the appellant
Ms K. R. Deshpande, APP for State

CORAM : G.A. SANAP, J.
DATE : OCTOBER 21, 2022.

Heard.

2. **ADMIT.**
3. Issue notice to the respondent, returnable after **four weeks.**
4. Learned APP waives service of notice on behalf of respondent/State.
5. Call for record and proceedings.

CRIMINAL APPLICATION NO. 956 OF 2022.

6. This is an application for suspension of substantive sentence. Heard finally by consent of learned Advocate appearing for the parties.
7. The appellant is convicted for the offences punishable under Sections 353, 504 and 506 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for

six months and to pay fine of Rs.5000/- for each offence and in default to suffer simple imprisonment for 15 days.

8. It is stated that during the pendency of the trial the appellant was on bail. There is no allegation of misuse of liberty by him during the pendency of the trial. It is pointed out that considering the quantum of substantive sentence the learned Sessions Judge was pleased to suspend the substantive sentence. It is undisputed that the appellant has deposited the fine amount of Rs.15,000/-. In the fact and circumstances, the application is allowed.

9. The substantive sentence shall remain suspended during the pendency of this appeal.

10. The appellant be released on same terms and conditions imposed by the learned Sessions Judge at the time of suspension of sentence.

11. The application stands **disposed of**.

(G. A. SANAP, J.)

Namrata