

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

CRIMINAL REVISION APPLICATION NO.269 OF 2022

Gajanan Laxman Solanke and Amol @ Yendra Baburao Gaikawad

Versus

State of Maharashtra, through P.S.O., P.S. Buldhana City, Tahsil and District
Buldhana

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

Court's or Judge's Order

Shri Bhushan Dafle, Advocate for applicants

Shri A.M. Kadukar, APP for the State / non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 21.10.2022.

1. Heard.
2. **Admit.**
3. Call for the record and proceedings.
4. The learned A.P.P. waives service of notice for the non-applicant/State.

CRIMINAL APPLICATION NO.383 OF 2022

5. This is an application for suspension of sentence and for grant of bail.
6. The applicant No.1 was convicted for the offence punishable under Section 326 of the Indian Penal Code and sentence to suffer Rigorous Imprisonment for a period of six months and to pay fine of Rs.1,000/- and in default, to suffer Simple Imprisonment for two weeks.

7. The applicant No.2 was convicted for the offence punishable under Section 326 of the Indian Penal Code and sentence to suffer Rigorous Imprisonment for a period of two months.

8. The applicant Nos.1 and 2 were further convicted for the offence punishable under Section 323 of the Indian Penal Code and sentence to suffer Rigorous Imprisonment for a period of two months and to pay fine of Rs.500/- each and in default, to suffer Simple Imprisonment for one week each.

9. In that view of the matter and after going through the impugned judgment, I am of the opinion that it is necessary to re-look the matter afresh. There is no likelihood that this matter would come up for final hearing in near future. There is one more reason to suspend the sentence that the applicants were granted bail during the trial. Accordingly, I pass the following order:

- i) The application is **allowed** and the sentence imposed on the applicants by the learned Chief Judicial Magistrate, Buldhana in Regular Criminal Case No.177 of 2016 vide judgment dated 13.04.2018, is suspended till the disposal of the revision application.
- ii) Bail as per the trial Court with fresh bonds.

The application is **disposed of** accordingly.

[JUDGE]