

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

CRIMINAL APPEAL NO.843 OF 2022

Daulat S/o Bondkuji Atram .Vs. State of Maharashtra, through P.S.O., P.S. Mul, Tah.
Mul, Dist. Chandrapur

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

Court's or Judge's Order

Shri P.R. Agrawal, Advocate for the appellant.
Shri N.R. Rode, A.P.P. for the respondent/State.

CORAM : ANIL S. KILOR, J.

DATED : 20/12/2022

1. Heard.
2. **Admit.**
3. Call record and proceedings.
4. Shri Rode, learned APP waives service of notice to the respondent/State.

CRIMINAL APPLICATION (APPA) NO.1090 OF 2022

5. This is an application for suspension of sentence and grant of bail.
6. The applicant was convicted for the offence punishable under Section 307 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for seven years and to pay fine of Rs.1,000/-, in default to undergo simple imprisonment for one month.
7. I have perused the findings recorded by the learned trial Court in the impugned judgment and order and

thereupon, I am of the opinion that applicant is having arguable case and re-appreciation and reappraisal of the evidence is necessary in this case. There is no likelihood that this matter would come up for final hearing in near future. There is one more ground is that the applicant is on bail during the trial. Accordingly, I pass the following order:

- i. The criminal application is **allowed**.
- ii. The sentence imposed by the learned Additional Sessions Judge, Chandrapur in Sessions Case No.45 of 2018 vide judgment and order dated 18.11.2022, is suspended, till disposal of the appeal.
- iii. Bail as in the trial Court with fresh bonds.

JUDGE