

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 57 OF 2023
IN
CRIMINAL APPEAL NO. 13 OF 2023

MADAN MORSING CHAVAN AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Appellants : Mr. Kanade Angad L
APP for Respondent/State : Mr. P. M. Kulkarni

...

CORAM : KISHORE C. SANT, J.
DATE : 6th JANUARY 2023.

Per Court :

Heard for sometime.

1. This is an application by applicants praying for suspension of substantive sentence imposed vide judgment and order dated 19.11.2022 passed by the learned Additional Sessions Judge, Aurangabad in Sessions Case No. 272/2017. The applicants are convicted for the offences punishable under Sections 304-A, 279, 337, 338 of the Indian Penal Code and Sections 192-A, 3/181 of the Motor

Vehicle Act. The applicants are directed to suffer various sentences for the said offences separately.

2. It is submitted by the learned Advocate for the applicants that during the trial, the applicants were on bail and there is no allegation of misuse of liberty. He further submits that the maximum sentence awarded to applicants is two years with fine of Rs.10,000/- each. Since the appeal is not likely to be heard in near future, he prays for suspension of sentence.

3. Considering that the applicants were on bail during the trial and considering that the maximum sentence is two years and their sentence is already suspended by the trial Court, this Court finds that it would be desirable to allow the application. Hence the following order.

ORDER

- (i) The substantive sentence awarded by the learned Additional Sessions Judge, Aurangabad in Sessions Case No. 272/2017 by judgment and order dated 19.11.2022 stands suspended till appeal is finally decided.

- (ii) The applicants shall furnish their residential address and mobile numbers to the concerned police station. If there is any change in their address or mobile numbers, they shall immediately inform to the concerned police.
- (iii) With this, the Criminal Application is disposed off.

[KISHORE C. SANT, J.]

Najeeb.