

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 90 OF 2023

IN

CRIMINAL APPEAL NO. 16 OF 2023

PARMESHWAR DEVRAO GAIKWAD

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Appellant : Mr. Arora Shyam C.

APP for Respondent/State : Mr. P. N. Kutti

...

CORAM : KISHORE C. SANT, J.

DATE : 30th JANUARY 2023.

Per Court :

1. This application is by the accused/applicant, who has filed appeal in this Court and the same is admitted. This application is for suspension of sentence as awarded by the learned Additional Sessions Judge, Hingoli in Sessions Case No. 13/2021 by an order dated 03.12.2022. The learned Sessions Judge has held the applicant guilty for an offence punishable under Section 324 of the Indian Penal Code. By which, applicant is sentenced to suffer Rigorous Imprisonment for

one year and to pay fine of Rs.2000/- in default to suffer R.I. for two months.

2. The learned Advocate for the appellant submits that during the trial, the applicant was on bail. He was released on bail after he was in jail for three months. Thus, he has already undergone three months in jail. There is no allegation of misuse of the liberty. At the time of pronouncement of judgment by the trial Judge, his sentence is suspended till the appeal period on depositing fine. Looking to the pendency of the matter and appeal may not be heard in near future, he therefore prays for suspension of sentence. Hence the following order.

ORDER

- (i) The sentence imposed by the learned Additional Sessions Judge, Hingoli by its judgment and order dated 03.12.2022 in Sessions Case No.13/2021 shall stand suspended till the appeal is heard.
 - (ii) He shall keep informed the police authorities about the his residential address and mobile number. He shall also inform immediately if there is any change in the details of his address or mobile number.
 - (iii) Bail bond be furnished in the trial Court.
3. With this, the Criminal Application is disposed off.

[KISHORE C. SANT, J.]