

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**933 CRIMINAL APPLICATION NO. 178 OF 2023 IN
CRIMINAL APPEAL NO.31 OF 2023**

**VINOD PRATAPSING GOUD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA**

Mrs. Suvarna M. Zaware, Advocate for the appellants
Mr. P. M. Kulkarni, APP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 25th JANUARY, 2023

P. C.

1. This is an application seeking suspension of substantive sentence imposed by the learned Additional Sessions Judge, Shrigonda in Sessions Case No.117 of 2019 by order dated 08-12-2022.

2. The appellants are convicted for the offences punishable under Sections 143, 147, 148, 324 & 325 read with Section 149 of the Indian Penal Code. The maximum sentence awarded is one year for the offence punishable under Section 325 read with Section 149 with fine of Rs.3,000/- in default SI for two months. He submits that the accused persons were on bail during the trial. They have paid amount of fine on the date of judgment itself. During the trial there is no allegation that

they have misused the liberty granted to them. Learned advocate for the applicants submits that since sentence is only of one year and there is no chance to hear the appeal in near future the sentence of the applicants deserve to be suspended.

3. Considering the submission this court thinks it fit to suspend the substantive sentence as awarded by the learned Additional Sessions Judge, Shrigonda in Sessions Case No. 117/2019 by the judgment and order dated 08-12-2022. Hence, the following order:-

ORDER

a] The Criminal application stands allowed.

b] The substantive sentence awarded by the learned Additional Sessions Judge, Shrigonda in Sessions Case No. 117/2019 by the impugned judgment and order dated 08-12-2022 is hereby suspended and the applicants be released on bail on furnishing PR bond of Rs.15,000/- each with one solvent surety in the like amount on the following conditions:

i] The applicants shall give their mobile numbers and residential address to the concerned police station.

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ii] The applicants shall give the contact details to the concerned police station if there is any change.

[KISHORE C. SANT, J.]

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