

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

926 CRIMINAL APPLICATION NO.375 OF 2023
IN
CRIMINAL APPEAL NO.69 OF 2023

RAMKRUSHNA @ RAM RATANRAO SHENDARKAR
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Appellant : Mr. Sharma Govind M.
APP for Respondent : Mr. P M Kulkarnil

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CORAM : KISHORE C. SANT, J.
Dated: January 31, 2023

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PER COURT :-

1. Heard. Issue notice to the respondents. Learned APP waives service of notice for respondent-state.
2. The applicant has filed an appeal challenging the judgment and order passed by the learned Additional Sessions Judge, Aurangabad dated 12.1.2023 in Sessions Case No.497 of 2019. The applicant/appellant is held guilty for the offence punishable under section 353 of the IPC and he is directed to suffer RI for six months and to pay fine of Rs.5,000/-, in default to suffer SI for 15 days.
3. The appeal is admitted.

4. Learned counsel for the applicant submits that during the trial, the applicant/appellant was on bail. He has also paid the fine amount in the trial court on the date of the judgment. His sentence is also suspended by the trial court till appeal period. Thus, he is not yet arrested. He prays that during the pendency of the appeal, substantive sentence as awarded by the learned Sessions Court, Aurangabad be suspended.

5. Considering the submissions, this Court finds that it would be in the interest of justice to suspend the sentence. The application is therefore, allowed. The sentence awarded by the learned Additional Sessions Judge, Aurangabad dated 12.1.2023 in Sessions Case No.497 of 2019 is hereby suspended till the Criminal Appeal No.69 of 2023 is finally heard and disposed off. The applicant shall furnish his address and mobile number to the concerned Police Station. In case of any change in the contact details and address, the same shall be informed to the police, immediately. The applicant to furnish the same bail, fresh bonds as in the trial court.

6. Criminal application is accordingly disposed off.

(KISHORE C. SANT, J.)

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aaa/-