

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

**974 CRIMINAL APPLICATION NO. 449 OF 2023
IN APEAL/87/2023**

Maya Ramesh Aglave

...Applicant

VERSUS

1. The State of Maharashtra

2. XYZ

...Respondents

...

Advocate for Applicant : Mr.Magre Sunil G.

APP for Respondent State : Ms.R.P.Gaur

Advocate for Respondent No. 2 : Ms.Tandale Rani R. (appointed)

...

CORAM : R. G. AVACHAT, J.

DATE : 03.05.2023.

PER COURT :

1. Heard.

2. This is an application for suspension of execution of substantive sentence.

3. The applicant has been convicted for the offence punishable under Sections 376(2)(n), 363, 342, 323 of the Indian Penal Code and she has to undergo maximum sentence for ten years. All the substantive sentences have been directed

to run concurrently.

4. The applicant is in jail for about two years and three months against the sentence of 10 years. The appeal is of this year. The applicant is a lady. It will take long time to hear the appeal by its turn on merits. Considering the gender of the applicant and considering that she is behind the bars for little over two years and three months, the Court is inclined to allow the application. In view of these facts, the following order :-

ORDER

- (a) The application is allowed.
- (b) Pending the appeal, the execution of substantive sentences of imprisonment imposed upon the applicant by the learned Additional Sessions Judge, Ahmednagar, in Sessions Case No.Special Case No. 167 of 2021, by the judgment and order dated 02.12.2022, to stand suspended and the applicant is released on bail on executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety each in the like amount.

(R. G. AVACHAT)
JUDGE