

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

**CRIMINAL APPLICATION NO.611 OF 2023
IN APEAL/130/2023**

**SHARAD S/O KHANDU ROKADE
VERSUS
THE STATE OF MAHARASHTRA**

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Mr. Bharatkumar R. Warma, Advocate for Applicant
Ms. R.P. Gour, APP for Respondent – State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 15th FEBRUARY, 2023

PER COURT :

1. By this application, applicant seeks suspension of his substantive sentence of imprisonment. The applicant is convicted under Section 353 of the Indian Penal Code and is sentenced to suffer rigorous imprisonment for five years, by the learned Additional Sessions Judge, Amalner, vide order dated 03/02/2023 in Sessions Case No.17/2020.
2. The sentence imposed on applicant is short term sentence. Applicant was on bail during trial and he has not misused the facility of bail. Applicant has deposited the fine amount. Appeal is not likely to be heard in near future.
3. Application is, therefore, allowed. Substantive sentence of imprisonment of the applicant is hereby suspended. Applicant be released on executing Personal Bond of Rs.15,000/-, with one surety in the like amount.

(NITIN B. SURYAWANSHI, J.)