

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

**CRIMINAL APPLICATION NO. 844 OF 2023
IN
CRIMINAL APPEAL NO. 181 OF 2023**

**PARAJI NARAYAN ROKADE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr.N.C. Garud, Advocate for the applicant.

Mr.S.R. Yadav-Lonikar, APP for the respondent/State.

**CORAM : KISHORE C. SANT, J.
DATED : 01.03.2023**

PC :-

01. This is an application by the applicant/appellant who is convicted by judgment and order dated 04.02.2023 passed by the learned Judge, Special Court (Electricity) and Additional Sessions Judge, Ahmednagar in Special Case No.103 of 2018. The applicant is held guilty of the offences punishable under sections 135 and 138 of the Electricity Act, 2003 and he is sentenced to undergo rigorous imprisonment for two years and pay fine of Rs.10,000/- in default to suffer rigorous imprisonment for two months for the offence punishable under section 135 of the Act and for the offence punishable under section 138 of the Act, he is directed to suffer rigorous imprisonment for one year and to pay fine of Rs.5000/-, in default, to suffer rigorous imprisonment

for one months.

02. The learned Advocate for the applicant submits that during the trial the applicant was on bail. He has already paid fine amount in the Court on the date of judgment itself. His sentence is already suspended by the Trial Court till 03.03.2023. He submits that, therefore, it is necessary in the interest of justice to suspend the substantive sentence as awarded by the learned Judge, Special Court.

03. Considering the above submissions, this Court finds that the sentence is a short sentence and appeal is not likely to be heard in the near future, it is desirable to suspend the substantive sentence pending the appeal. Hence, the following order :-

04. The application is allowed.

05. The substantive sentence of the applicant is suspended pending the appeal. The applicant shall execute same bail, fresh bond.

06. The applicant shall inform address and other contact details to the concerned police station and shall keep informed the police about change in any contact details.

[KISHORE C. SANT, J.]