

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

**CRIMINAL APPLICATION NO. 1018 OF 2023
IN APEAL/225/2023**

**SANJAY TARACHAND CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA**

Mr.A.R. Syed a/w. Mr. S.P. Pandit, Advocate for the applicant.
Mrs.P.V. Diggikar, APP for the respondent/State.

**CORAM : KISHORE C. SANT, J.
DATED : 15.03.2023**

PC :-

01. Heard. Issue notice to the respondent. Learned APP waives service of notice for the respondent/State, returnable forthwith.

02. This is an application seeking suspension of sentence awarded by the learned Special Judge and Additional Sessions Judge, Shahada by judgment and order dated 15.02.2023. The learned Sessions Judge by way of the impugned judgment and order has held the applicant guilty of the offence punishable under section 135 of the Indian Electricity Act and has awarded sentence of simple imprisonment for six months. The applicant has challenged the judgment and order of conviction. The learned Advocate for the applicant submits that the sentence is only of six months. During the Trial the applicant was on bail. There is no complaint of misuse of liberty. The appeal is not likely to be heard in near future and therefore prays for suspension of sentence. He submits that the the sentence is already

suspended by the learned Trial Court on the date of judgment itself.

03. In view of above, the substantive sentence is suspended pending the appeal. The applicant has already executed PB and SB of Rs.10,000/- and same shall be continued.

04. The Criminal Application is accordingly allowed and disposed off.

[KISHORE C. SANT, J.]