

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1035 OF 2023

ABDUL MAJID ABDUL BARI QURESHI
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. N. S. Ghanekar
APP for Respondent – State : Smt. D. S. Jape

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CORAM : KISHORE C. SANT, J.

DATE : 31.03.2023

PER COURT :

01. This is an application filed by original accused No.5 seeking suspension of substantive sentence awarded by the learned Additional Sessions Judge, Court No. 8, Aurangabad by judgment and order dated 31.01.2023 whereby this applicant is held guilty at page No. 104 Clause 8 for the offences punishable under Sections 324, 143, 144, 147 and Section 148 of the Indian Penal Code.

Section 148 : Rigorous imprisonment for two years and fine of Rs. 1500/- (Rs. One Thousand Five Hundred only). In default to undergo simple imprisonment for three months.

Section 324 : Rigorous imprisonment for two years and fine of Rs. 1500/- (Rs. One Thousand Five Hundred only). In default to undergo simple imprisonment for three months.

Section 147 : Rigorous imprisonment for one year and fine of

Rs. 1000/- (Rs. One Thousand only). In default to undergo simple imprisonment for two months.

Section 144 : Rigorous imprisonment for one year and fine of Rs. 1000/- (Rs. One Thousand only). In default to undergo simple imprisonment for two months.

Section 143 : Rigorous imprisonment for three months and fine of Rs. 500/- (Rs. Five Hundred only). In default to undergo simple imprisonment for one month.

2. Thus, the maximum sentence awarded is three years. The applicant has deposited the fine amount on the date of judgment itself. His sentence is also suspended by the learned Trial Judge till appeal period.

3. The learned Advocate submits that the applicant was on bail during the trial and there are no complaint of misuse of liberty.

4. Hence, the following order :

ORDER

- a] The Criminal Application stands allowed.
- b] Substantive sentence awarded by the learned Sessions Judge by the Judgment and order dated 31.01.2023 in Sessions Case No. 712/2019 is suspended pending the appeal on furnishing PR bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount.

- c] The applicant shall inform his contact details in case there is any change then to inform the same to the concerned Police Station.
- d] Parties to act upon authenticated copy of this order.

(KISHORE C. SANT, J.)

shp/-