

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

**33 CRIMINAL APPLICATION NO.1141 OF 2023
IN APEAL/258/2023**

**RAJU SHRIRANG RATHOD
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Appellant : Mr. P. G. Tambade h/f.
Mr. R. V. Ghule
APP for Respondent – State : Mr. P. M. Kulkarni

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CORAM : KISHORE C. SANT, J.

DATE : 25.04.2023

PER COURT :

1. This application is taken up for final disposal by consent of the parties.
2. The applicant has prayed for suspension of sentence as awarded by the learned Additional Sessions Judge-2, Ambad, Dist. Jalna by judgment and order dated 09.03.2023.
3. The applicant is convicted for the offence punishable under Section 324 of the Indian Penal Code and is directed to suffer rigorous imprisonment for one year and to pay fine of Rs. 1,000/- and in default of payment to suffer simple imprisonment for two months .

04. The learned Advocate for the applicant submits that during the trial, the applicant was on bail. The sentence awarded is for a short period, the amount of fine has already been deposited in the trial Court on the date of judgment itself and his sentence is further suspended till appeal period.

05. Considering this , this Court find that sentence is for a short period only of one year and applicant has already deposited his fine before the trial Court. Hence, the following order :

ORDER

- (i) Criminal Application stands allowed.
- (ii) The substantive sentence awarded by the learned Additional Sessions Judge-2 Ambad, Dist. Jalna by judgment and order dated 09.03.2023 stands suspended pending the appeal on same bail fresh bond.
- (iii) The applicant shall inform his address and other contact details such as mobile number etc. to the police He shall also further inform the police if there is any change in the above details.
- (iv) With this, the application stands disposed of.

(KISHORE C. SANT, J.)

shp/-