

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

940 CRIMINAL APPLICATION NO.1768 OF 2023
IN APEAL/403/2023

Santosh s/o Laxmanrao Wattamwar ...Applicant

VERSUS

The State of Maharashtra ...Respondent

...
Advocate for Applicant : Mr. D.S.Patil h/f Mr.Gangakhedkar
Shailendra S.
APP for Respondent State : Mr.K.N.Lokhande
...

CORAM : R. G. AVACHAT, J.
DATE : 04.05.2023.

PER COURT :

1. Heard. This is an application for suspension of execution of substantive sentence of imprisonment.
2. The applicant has been convicted for the offences punishable under Sections 304-B, 306 and 498-A of the Indian Penal Code (for short "IPC") and sentenced to suffer rigorous imprisonment for seven years and fine with default stipulation.
3. The learned APP for the State has strong objection

for grant of the application.

4. The sentence of seven years of imprisonment is considered to be a short term sentence. The appeal is of this year and it is not likely to come up for hearing in near future. The applicant was on bail pending the trial. In view of the same, the Court is inclined to allow the application. Hence the following order :

ORDER

- (a) The application is allowed.
- (b) Pending the appeal, the execution of substantive sentences of imprisonment imposed upon the applicant by the learned Additional Sessions Judge-1, Nanded in Sessions Case No. 26 of 2002 by the judgment and order dated 27.04.2023 to stand suspended and the applicant be released on bail on executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety each in the like amount.

(R. G. AVACHAT)
JUDGE

mahajansb/