

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2055 OF 2023
IN
CRIMINAL APPEAL NO. 499 OF 2023

Vishwanath Gangadhar Waghmare ... Applicant

Versus

The State of Maharashtra ... Respondent

...
Ms Ashwini Annasaheb Lomte – Advocate for applicant
Mr. S. N. Morampalle – APP for respondent/State
....

CORAM : R. M. JOSHI, J.

DATE : 27th JUNE, 2023

PER COURT :

1. Applicant/appellant is handed over sentence of three months rigorous imprisonment with fine for the offence punishable under Section 85(1) of Maharashtra Prohibition Act.

2. Learned advocate for the applicant submits that if the applicant is required to undergo sentence then the appeal will be infructuous. This Court finds substance in the said contention owing to the pendency of matters in this court. Hence, following order.

ORDER

- [i] The application is allowed.
- [ii] The substantive sentence imposed on the applicant by the impugned order dated 25.04.2023 passed by learned Addl. Sessions Judge at Ambajogai in Sessions Case No. 55/2021, is suspended pending the appeal.
- [iii] The applicant be released on bail on executing PR. bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount.
- [iii] Bail before the trial Court.

[R. M. JOSHI]
JUDGE

SG Punde