

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

995 CRIMINAL APPLICATION NO. 2976 OF 2023
IN
CRIMINAL APPEAL NO. 723 OF 2023

KIRAN ARUNNATH KHOSE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Appellants : Mr. K.R. Yadav h/f Mr. Sudarshan J. Salunke
APP for Respondents: Mr. V. S. Badakh

...

CORAM : R. M. JOSHI, J.

DATE : 19th AUGUST, 2023

PER COURT :

1. By this application, the applicant seeks suspension of substantive sentence imposed upon him. Learned APP waives service of notice.

2. Vide Judgment and Order dated 19.07.2023 passed by learned Additional Sessions Judge, Vaijapur, Dist. Aurangabad, applicant is handed over short term sentence of two years rigorous imprisonment with fine of Rs. 1,000/- for the offence punishable under Section 324 of the Indian Penal Code.

3. Learned counsel for the applicant submits that if the applicant is required to undergo the substantive sentence, the very purpose of appeal would be frustrated.

4. This Court finds force in the contention of the learned advocate for the applicant. Hence, **application is allowed.**

5. The substantive sentence imposed against the applicant by judgment and order dated 19.07.2023 passed by learned Additional Sessions Judge, Vaijapur, Dist. Aurangabad, stands suspended till the decision of the appeal.

6. The applicant shall be released on bail on his furnishing PR bond of Rs. 15,000/- (Rupees Fifteen Thousand) with two solvent sureties in the like amount.

7. Bail before the trial Court.

[R. M. JOSHI]
JUDGE

SG Punde