

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

**903 CRIMINAL APPLICATION NO.3272 OF 2023
IN APEAL/810/2023**

**PANDURANG BHAGAJI WARANKAR
VERSUS
THE STATE OF MAHARASHTRA**

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Mrs. Angha Rotte, Advocate for the applicant.
Mr. R.D. Sanap, A.P.P. for respondent – State.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 5th September 2023.

ORDER:-

1. Heard. Issue notice to the respondent State. Learned A.P.P. waives service for respondent – State.
2. Heard rival submissions.
3. The applicant, who is original accused No.2, is seeking suspension of his substantive sentence of imprisonment for one year for offence punishable under Section 324 of the Indian Penal Code in Sessions Case No.92 of 2020.
4. Though The learned A.P.P. strongly opposed the application, but the co-accused in this matter i.e. Yogesh Raju Rathod has already been released on bail by this Court in another appeal No. 617 of 2023 arising out of same judgment. His sentence of imprisonment is also suspended. In view of the same, following order is passed

ORDER

- (i) The application is hereby allowed and substantive sentence of imprisonment for one year for offence punishable under Section 324 of the Indian Penal Code imposed upon this applicant in Sessions Case No. 92/2020 is hereby suspended during the pendency of this appeal.
- (ii) The applicant be released on bail on execution of his P.R. & S.B. for Rs. 15,000/-.
- (ii) Bail in lower Court.

(SANDIPKUMAR C. MORE, J.)