

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 CRIMINAL APPLICATION NO.3674 OF 2023
IN APPEAL/314/2019

RAMDAS KACHARU KOTKAR
VERSUS
THE STATE OF MAHARASHTRA

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Mr. V.R. Gundecha, Advocate for applicant

Mr. S.D. Ghayal, APP for respondent

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CORAM : SMT. VIBHA KANKANWADI &
ABHAY S. WAGHWASE, JJ.

DATE : 08th NOVEMBER, 2023

ORDER :

1 Present application is filed for suspension of substantive sentence and this is second application. The earlier application filed by the present appellant/applicant was rejected on 11.12.2019.

2 The learned Advocate appearing for the appellant submits that co-accused has been released by suspending the sentence by this Court as well as another co-accused came to be released on bail by suspending the sentence by Hon'ble Apex Court on 07.08.2019 and 16.11.2020 respectively.

Important point to be noted is that as regards the co-accused released by this Court is concerned, it was the order passed earlier to the rejection of the application by the present appellant. The order passed on 07.08.2019 was taken into consideration by this Court and still the application for suspension of sentence by the present appellant was rejected. This Court cannot review its own order. There is no other ground on which the sentence can be suspended. Hence, the application stands rejected.

(ABHAY S. WAGHWASE, J.)

(SMT. VIBHA KANKANWADI, J.)

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