

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

915 CRIMINAL APPLICATION NO. 3707 OF 2023
IN CRIMINAL APPEAL NO. 914 OF 2023

SACHIN ARJUN LAKAL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Mr. D.S. Bhapkar h/f. Mr. M.V. Salunke – Advocate for
Applicants
Mr. P.M. Kulkarni – APP for Respondent, State
....

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 11th October, 2023

PER COURT :

1. Heard.
2. Issue notice to respondent.
3. Learned A.P.P. waives service of notice for respondent,
State.
4. Heard rival submissions.
5. This application is filed for suspension of substantial
sentence of imprisonment by the present applicants, who

admittedly are convicted by the learned Sessions Judge, Osmanabad on 03.08.2023 in Sessions Case No.134 of 2019 for the offence punishable under Section 323 read with 34 of the Indian Penal Code. It appears that, the applicants – accused have already deposited the fine amount.

6. Learned A.P.P. though opposed the application on the ground that, the learned Sessions Court on evaluation of evidence has properly convicted the applicants – accused, but considering the quantum of imprisonment being of only six months and also considering the fact that, the applicants were on bail during the trial. Their substantive sentences of imprisonment can be suspended. Hence, following order is passed :-

ORDER

- (a) Application is hereby allowed.
- (b) The substantial sentence of imprisonment awarded to present applicants by the learned Sessions Judge, Osmanabad in Sessions Case No. 134 of 2019 on 03.08.2023 is hereby

suspended during the pendency of the appeal and the applicants are continued to be released on same condition, as granted by the learned Sessions Court, Osmanabad. However, they directed to furnish fresh bail bonds before the learned Sessions Court.

- (c) Criminal application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE