

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

**923 CRIMINAL APPEAL NO.933 OF 2022
WITH APPLN/4143/2022 IN APEAL/933/2022**

**NAVNATH ASARAM SHINDE
VERSUS
THE STATE OF MAHARASHTRA**

Mr.J.V. Patil, Advocate for the appellant.
Mr.PM. Kulkarni, APP for the respondent/State.

**CORAM : KISHORE C. SANT, J.
DATED : 05.01.2023**

PC :-

01. Heard.

02. Admit.

03. Call for record and proceedings.

04. Criminal Application No.4143 of 2022 is seeking suspension of sentence awarded by the learned Sessions Judge, Jalgaon in Sessions Case No.300 of 2019 dated 14.11.2022. By the impugned judgment and order, the learned Sessions Judge held the appellant guilty for the offences punishable under sections 353, 332 and 341 of the Indian Penal Code. The maximum sentence awarded is six months for the offence punishable under sections 353 and 332 of the IPC. For the offence punishable under section 341 of the IPC, the sentence awarded is of payment of fine of Rs.500/-. The learned Advocate

for the applicant submits that he has already paid the fine amount in the Trial Court on the date of judgment itself. It is submitted that during the course of trial, the applicant was on bail. There is no allegation of misuse of liberty. He further submits that the sentence is a short sentence of six months. Learned advocate for the applicant further submits that the appeal is not likely to be heard in the near future and the learned Trial Court has already suspended the sentence.

05. Considering the above aspects, this Court feels that it would be in the interest of justice to allow this criminal application.

06. The substantive sentence awarded by the learned Sessions Judge, Jalgaon in Sessions Case No. 300 of 2019 on 14.11.2022 is suspended on same bail and fresh bond.

07. The applicant to inform his residential address and mobile number to the concerned police station and also to keep informed about change in residential address and mobile number from time to time.

08. Criminal Application No.4143 of 2022 is accordingly allowed and disposed off.

[KISHORE C. SANT, J.]