

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

**914 CRIMINAL APPLICATION NO.4081 OF 2023
IN APEAL/1076/2023**

**JAGNNATH GOVIND SHEKADE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA**

...
Mr. P.D. Suryawanshi, Advocate for the applicants.
Mrs. D.S. Jape, A.P.P. for the respondent – State.
...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 9th November 2023.

ORDER:-

1. Heard rival submissions.
2. The applicants, who are the original accused, are seeking suspension of their substantive sentence of imprisonment for the offences punishable under Sections 143, 148, 436, 324, 427, 506 read with Section 149 of the I.P.C. in Sessions Case No.22/2015. It appears that maximum sentence of imprisonment imposed upon these applicants is of three years.
3. Though the learned A.P.P. opposed the application, it seems that the applicants were on bail during the trial and they have also deposited the fine amounts. Moreover, the learned trial Court has also released them on bail after conviction vide order dated 20.10.2023. As such, considering the short term of sentence of imprisonment, following order is

passed

ORDER

- (i) The application is hereby allowed and substantive sentence of imprisonment imposed upon these applicants imprisonment for the offences punishable under Sections 143, 148, 436, 324, 427, 506 read with Section 149 of the I.P.C. in Sessions Case No.22/2015 under judgment and order dated 20.10.2023, is hereby suspended during the pendency of this appeal.
- (ii) Applicants be released on bail on execution of their P.R. bond of Rs. 15,000/- each with solvent surety in the like amount.
- (iii) Bail in lower Court.
- (iv) Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)