

drp

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4454 OF 2022
IN
CRIMINAL APPEAL NO. 1010 OF 2022

Sakharam Zabu Pawar

APPLICANT

VERSUS

The State of Maharashtra

RESPONDENT

.....

Mr. Abhaysinh K. Bhosle, Advocate for the applicant
Mrs. R. P. Gour, APP for respondent - State

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 18th JANUARY, 2023

ORDER :

1. Heard.
2. The applicant seeks suspension of his substantive sentence of imprisonment of 5 years awarded to him by the learned Sessions Judge, by convicting him as per the provisions of section 235 (2) of the Criminal Procedure Code for offence punishable under section 20 (B) of the NDPS Act.
3. Considering the sentence awarded to appellant, which is a short term sentence and the fact that the applicant was on bail during the trial and he has not misused the facility of bail and he

has deposited the fine amount and before the trial the applicant was in custody for about 15 days and after conviction he is in custody since 21st December, 2022, substantive sentence awarded to the applicant deserves to be suspended.

4. The application is allowed in terms of prayer clause "B". Substantive sentence of imprisonment of the applicant is suspended on the same terms and conditions, however, on furnishing fresh bonds.

[NITIN B. SURYAWANSHI]
JUDGE