



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

**CRIMINAL APPLICATION NO. 4553 OF 2023 IN
CRIMINAL APPEAL NO. 1182 OF 2023**

Asaram s/o Dhondiram Amte
& another

Applicants

Versus

The State of Maharashtra

Respondent

Mr. C. V. Bodkhe, advocate holding for Mr. R. V. Gore,
advocate for Applicants

Mr. S. B. Narwade, APP for the Respondent

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 20th DECEMBER, 2023.

P.C. :

1 Heard.

Issue notice to the respondent.

Learned APP waives service for sole respondent-
State.

2 Heard rival submissions.

3 The applicants are seeking suspension of their
substantive sentence of imprisonment awarded under Section
332 read with Section 34 of the Indian Penal Code. It appears
that the maximum punishment of imprisonment appears to be
of one year.

4 Though the learned APP opposed the application,
but the learned trial Court, vide order dated 30.11.2023, has
already released the applicants on bail after conviction.

5 As such, considering the short term of
imprisonment, following order is passed:

(i) The Criminal Application is hereby allowed.

(ii) The substantive sentence of imprisonment imposed
upon the applicants-accused vide judgment and order dated
30.11.2023 by the learned Sessions Judge, Beed in Sessions
Case No. 154 of 2021, is hereby suspended during the
pendency of this appeal.

(iii) Both the applicants-accused are hereby released on execution of their P. B. and S. B. of Rs.15,000/- (Rs. Fifteen thousand) each. Bail before the trial Court.

(iv) Criminal Application stands disposed of.

SANDIPKUMAR C. MORE
JUDGE

adb

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advocate for Appellants

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DATE : 20th DECEMBER, 2023.

P.C. :

Heard.

Admit.

Learned A. P. P. waives service for Respondent-
State.

Call R. & P.

**SANDIPKUMAR C. MORE
JUDGE**

adb