

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPEAL NO. 504 of 2023****WITH****INTERIM APPLICATION NO.1657 OF 2023**

Yuvraj Bhimrao Patil .. Appellant
Versus
The State of Maharashtra .. Respondent
...

Mr. V.V. Purwant for the appellant
Mr. Y.M.Nakhawa, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 28th APRIL 2023

P.C:-

Criminal Appeal No.504 of 2023

- 1 Heard. Admit
- 2 Call for record and proceedings.

IA No. 1657 of 2023

3 By the present application the appellant/applicant seek suspension of sentence imposed on him by the impugned judgment dated 13/4/2023 passed by the Additional Sessions Judge, Barshi in Sessions Case No. 47 of 2020. Being aggrieved by the said judgment appeal has been filed, which is admitted.

4 Perusal of the impugned judgment would reveal that the applicant has been sentenced to suffer SI for a period of 3 months and to pay fine of Rs.5000/- , in default to suffer SI for 4 months, on being convicted under Section 353 of IPC. He is also convicted under Section 341 of IPC for which he is sentenced to suffer SI for 1 month. Apart from this, there is also a similar sentence imposed on him upon being convicted under Section 506 of IPC. All the sentences are directed to run concurrently.

5 Considering fix term of the sentence imposed on being convicted, in the wake of the decision of the Hon'ble Apex Court in case of *Bhagwan Rama Shinde Gosai and ors vs. State of Gujarat (1999) 4 SCC 421*, the sentence deserves to be suspended.

Interim Application is allowed by suspending the sentence imposed under the impugned judgment. The applicant is entitled to be released on bail, subject to furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.

(SMT. BHARATI DANGRE, J.)