

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO. 643/2023
IN
CRIMINAL APPEAL NO. 411/2023

MAHESH CHOHitRAM JIVTANI AND OTHERS
VS
STATE OF MAH. THR. PSO, GADGENAGAR PS AMRAVATI
TAH. AND DIST.AMRAVATI

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr PV. Navlani, counsel for the applicants/appellants.
Mr A.M. Kadukar, APP for the non-applicant.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 20/06/2023.

1. Present application is for suspension of sentence and releasing the applicants/appellants on bail.
2. By this appeal, the appellants have challenged the judgment and order of sentence passed by the learned Additional Sessions Judge, Amravati by which the appellants are convicted for the offences punishable under Sections 143, 353, 336, 504 read with Section 149 of the Indian Penal Code and sentenced them to suffer R.I. of six months each for the above offenses.

3. As per the contention of the appellants the appeal will take its own time for its final disposal, in the meanwhile, if the sentence is executed, the appeal will become infructuous.

4. The said application is opposed by the State only on the ground that the learned trial Court has rightly appreciated the evidence and convicted the present appellants.

5. Having heard both the sides and on perusal of the record, it reveals that the appeal will take its own time for its final disposal. The appellants were on bail. They have not misused liberty. Considering that the appeal would not be decide in near future. Hence, criminal application deserves to be allowed. Accordingly, I proceed to pass following order:

- a) The execution of the sentence is hereby suspended till disposal of the appeal.
- b) The appellants are released on bail on executing PR. Bond of Rs. 15,000/- each with one solvent surety of like amount.

Criminal Application is disposed of.

Criminal Appeal No. 411/2023

1. Heard.
2. Admit.
3. Call for Record and Proceedings.
4. Appeal be placed before the Court after preparation of paper-book.

JUDGE