



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPEAL NO. 715 OF 2023**

Balu @ Gopal S/o. Sheshrao Thakare

.Vs.

The State of Maharashtra, Through PSO, PS Walgaon, Distt. Amravati

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions      Court's or Judge's orders.  
and Registrar's Orders.

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Mr A. U. Deshmukh, Counsel for the appellant

Mr K. R. Lule, APP for the State

**CORAM : SHIVKUMAR DIGE, J.**

**DATE : OCTOBER 31, 2023**

1.            Heard.
2.            **ADMIT.**
3.            Learned APP waives service of notice on behalf  
of respondent/State.
4.            Call for record and proceedings.

**CRIMINAL APPLICATION NO. 1158 OF 2023**

5.            Heard.
6.            This is an application for suspension of  
substantive sentence and grant of bail.
7.            The appellant is convicted for the offences  
punishable under Sections 354-D, 354-A, 294, 506 of

the Indian Penal Code vide judgment and order dated 18.09.2023 passed by learned Additional Sessions Judge, Amravati. The appellant is sentenced to suffer simple imprisonment for six months and to pay fine of Rs.1000/- on each count for the offences punishable under Sections 354-D, 354-A and 506 of the Indian Penal Code and in default to suffer simple imprisonment for one month. The appellant is further sentenced to pay fine of Rs.500/- for the offence punishable under Section 294 of the Indian Penal Code.

8. It is stated that during the pendency of the trial the appellant was on bail. There is no allegation of misuse of liberty by him during the pendency of the trial. It is pointed out that considering the quantum of substantive sentence the learned Sessions Judge was pleased to suspend the substantive sentence vide order dated 18.09.2023. It is undisputed that the appellant has deposited the fine amount of Rs.3,500/-. In the fact and circumstances, the application is **allowed**.

9. The substantive sentence awarded by learned Additional Sessions Judge, Amravati vide judgment and order dated 18.09.2023 shall remain suspended during the pendency of this appeal.

10. The appellant be released on same terms and conditions as imposed by the learned Sessions Judge at the time of suspension of sentence.

11. The application stands **disposed of**.

(SHIVKUMAR DIGE, J.)

*Namrata*