



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 915 OF 2024
IN
CRIMINAL APPEAL NO. 79 OF 2024

Rajendra @ Golu @ Ganesh Subhash Savkare ..APPLICANT

VERSUS

State of Maharashtra and Another ..RESPONDENTS

....

Mr. A.K. Bhosle, Advocate for applicant

Ms. V.S. Chaudhary, A.P.P. for respondent no.1 - State

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CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ
DATE : 13th MARCH, 2024

PER COURT :

1. Mr. M.N. Desale, learned counsel waives service of notice for Respondent No.2.

2. This is an application for suspension of substantive sentence imposed by Additional Sessions Judge, Bhusawal vide judgment and order dated 05th September, 2022 in Sessions Case No. 2 of 2018, by which the applicant has been convicted for offence punishable under Section 304 Part I of the I.P.C. and sentenced to suffer rigorous imprisonment for seven years.

3. Heard learned counsel for the applicant, learned A.P.P. and learned counsel for Respondent No.2.

4. It is not in dispute that the applicant has undergone more than half of the sentence imposed against him by the trial Court. The appeal would take its own time as there is also an application for leave to appeal by State. Hence, we proceed to pass the following order :-

ORDER

(I) Criminal application is allowed.

(II) Substantive sentence of imprisonment imposed by Additional Sessions Judge, Bhusawal vide judgment and order dated 05th September, 2022 in Sessions Case No. 2 of 2018 is hereby suspended.

(III) During pendency of the appeal, the applicant be released on his furnishing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(IV) The applicant shall provide his detailed residential address to the concerned police station.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

SSD