



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

**CRIMINAL APPLICATION NO.1268 OF 2024
IN
CRIMINAL APPEAL NO.222 OF 2021**

Archana w/o. Laxman Maske	..Applicant
Vs.	
The State of Maharashtra	..Respondent

Ms.Poonam V. Bodke Patil, Advocate for applicant
Mrs.U.S.Bhosale, APP for respondent

**CORAM : R.G.AVACHAT AND
NEERAJ P. DHOTE, JJ.
DATE : MARCH 21, 2024**

ORDER :-

Heard learned counsel for the applicant and learned APP for the respondent - State.

2. This is an application for suspension of substantive sentence of imprisonment. The applicant/appellant has been convicted vide judgment and order dated 20.03.2021, passed by learned Addl. Sessions Judge, Hingoli, in Sessions Trial No.19 of 2018 for the offence punishable under Section 302 of Indian Penal Code and sentenced to suffer imprisonment for life.

3. The case is based on dying declarations. The only grounds, which persuade us to suspend the substantive sentence

are that the applicant is a lady having two minor sons, she is behind the bars for more than three and half years and that she was on bail during trial. It is made clear that we have not examined the matter on merit.

4. Hence, the following order:-

(i) The application is allowed.

(ii) During pendency of the appeal, the substantive sentence of imprisonment imposed against the applicant/appellant vide judgment and order dated 20.03.2021, passed by learned Addl. Sessions Judge, Hingoli, in Sessions Trial No.19 of 2018, for the offence punishable under Section 302 of Indian Penal Code, to stand suspended. The applicant/appellant be released on bail, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

[NEERAJ P. DHOTE, J.]

[R.G. AVACHAT, J.]

KBP