



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

946 CRIMINAL APPLICATION NO. 1377 OF 2024

1. Dasu @ Devidas Sopan Palkhe.
2. Kinchak Dasu @ Devidas Palkhe.
3. Mahavir Dasu @ Devidas Palkhe.
4. Sharada Dasu @ Devidas Palkhe. **... Applicants**

Versus

1. The State of Maharashtra.
2. Lahu Chokha Palkhe. **... Respondents**

...
Advocate for Applicant : Mr. Abhijit S. More.
APP for Respondent/State : Mr. Rajdeep D. Raut.
...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 27th March, 2024.

P.C.:

1 This is an application for suspension of substantive sentence and granting bail to these applicants. By the judgment dated 30th November, 2021 passed by the learned Judicial Magistrate First Class, Court No.2 Bhoom, District Osmanabad, in R.C.C. No.104 of 2011, these applicants are convicted and sentenced as under:-

The applicants are convicted for the offence punishable under Section 452 read with 34 of the IPC and sentenced to suffer simple imprisonment for one year and fine of Rs.500/- each, they are

further convicted for the offence punishable under Section 324 read with 34 of the IPC and sentenced to suffer simple imprisonment for one year and fine of Rs.500/- each, they are furthermore convicted for the offence punishable under Section 323 read with 34 of the IPC and sentenced to suffer simple imprisonment for six months and fine of Rs.250/- each. All the sentences are directed to be run concurrently. The said conviction order is confirmed by the learned Additional Sessions Judge, Bhoom vide judgment dated 21st March, 2024 delivered in Criminal Appeal No.20 of 2021.

3 The learned counsel for applicants submits that these applicants have roots in the society and they will not flee away from the trial. These applicants have hope of success in this revision. These applicants have paid fine amount. They are old aged persons. It is lastly prayed to allow the application.

4 Perused the impugned judgments and grounds for suspension of sentence.

5 Considering the ages of these applicants and the facts and circumstances of the case, the application for suspension of substantive sentence deserved to be allowed. During pendency of the criminal revision application, the execution of sentence awarded to the applicant is suspended and these applicants be released on bail on

executing P. R. bond of Rs.15,000/- each with surety of the like amount by each of them. The bail bond shall be furnished before the Trial Court.

[SANJAY A. DESHMUKH, J.]

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