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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

953 CRIMINAL APPLICATION NO. 1429 OF 2024

DINKAR SHESHERAO GITTE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicants : Mr. Kanade Angad Lala

APP for Respondent/State : Mr.R.D. Raut

...

**WITH
CRIMINAL REVISION APPLICATION NO. 96 OF 2024**

DINKAR SHESHERAO GITTE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicants : Mr. Kanade Angad Lala

APP for Respondent/State : Mr. R.D. Raut

.....

**CORAM : SANJAY A. DESHMUKH, J.
DATED : 5th APRIL, 2024.**

PER COURT :-

Criminal Application No.1429 of 2024 :-

1. This is application for suspension of sentence. The applicants are sentenced to suffer as under :-

- (i) The applicant no.1 - accused no.1 is convicted for the offence punishable under section 324 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for one year and to pay fine of Rs.10,000/-, in default, to suffer simple imprisonment for one month.

(ii) The applicant no.1 - accused no.1 is convicted for the offence punishable under section 341 of the Indian Penal Code and sentenced to suffer simple imprisonment for one month and to pay fine of Rs.500/-, in default, to suffer simple imprisonment for 15 days.

(iii) The applicant no.1 - accused no.1 is convicted for the offence punishable under section 326 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs.10,000/-, in default, to suffer simple imprisonment for one month.

(iv) All the sentences imposed upon applicant no.1- accused no.1 shall run concurrently.

(v) The applicant nos.2 and 3 - accused nos.2 and 3 are convicted for the offence punishable under section 323 of the Indian Penal Code and sentenced to pay fine of Rs.1,000/- each, in default, to suffer simple imprisonment for 15 days.

(vi) The applicant nos.2 and 3 - accused nos.2 and 3 are convicted for the offence punishable under section 341 of the Indian Penal Code and sentenced to pay fine of Rs.500/- each, in default, to suffer simple imprisonment for 15 days.

2. The learned advocate for the applicants submitted that the applicants have falsely implicated in the crime. They have hope of success. The applicants have deposited total fine amount of Rs.23,500/-. It is lastly prayed to suspend the sentence.

3. Perused the impugned judgment and judgment of the trial Court. Considering the peculiar set of the fact and facts and circumstances of the case, the application deserves to be allowed in terms of prayer clause "B" on the condition to furnish the P.R. bond of Rs.15,000/- each with one solvent security of the like amount by each of them in the trial Court.

4. The application stands disposed of.

Criminal Revision Application No.96 of 2024 :-

Heard.

2. Issue notice to the respondents, returnable on 9th May, 2024. The learned APP waives service of notice on behalf of the respondent/State.

3. Call Record and Proceedings.

(SANJAY A. DESHMUKH, J.)