



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

CRIMINAL APPLICATION NO. 2428 OF 2024 IN REVN/162/2024

KALLAPPA GOROPPA PATIL
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Shaikh Sohail Subhedar
APP for Respondent : Mr. S. D. Ghayal

...
WITH CRIMINAL REVISION APPLICATION NO. 162 OF 2024

...
CORAM : S. G. MEHARE, J.
DATE : 21-06-2024

PER COURT :-

1. Heard the learned counsel for the applicant.
2. Issue notice to the respondents, returnable on 07.08.2024.
3. The applicant seeks suspension of the sentence imposed upon him by learned Additional Sessions Judge, Latur, in Criminal Appeal No. 129 of 2014, dated 07.06.2014, for the offences punishable under section 420, 468, 471 read with 34 of Indian Penal Code.
4. Learned counsel for the applicant submits that the applicant has a good case on merit. The learned trial Court as well as the learned first Appellate Court did not consider the defence properly and erred in law in convicting the applicant. The fine amount has been deposited.
5. Learned A.P.P. has strongly opposed the application. He

argued that both Courts have correctedly appreciated the evidence and did not commit error in law. The learned first Appellate Court has already reduced the sentence for three years.

6. The charge against the applicant is that he acted as witness to the forged document. He has a stand that his signature on the alleged document was not proved.

7. Considering the defence raised and the issue involved in the matter, the following order is passed.

ORDER

- i) Criminal application is allowed.
- ii) The substantive sentence imposed upon the applicant by the learned Additional Sessions Judge, Latur in Criminal Appeal 129 of 2014, is suspended till the conclusion of the revision.
- iii) The applicant be released on bail on executing PB and SB of Rs.50,000/- with a solvent surety of like amount.
- iv) Bail before the learned Additional Sessions Judge, Latur,
- v) Call R & P
- vi) List the criminal revision on 07.08.2024.

**(S. G. MEHARE)
JUDGE**

rrd