



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

**CRIMINAL APPLICATION NO. 3436 OF 2024
IN APPEAL/744/2024**

Datta Govind Puri

Age: 39 years, Occu.: Service,
R/o. Ambejogai, Tq.Ambejogai,
Dist.Beed.

At present R/o. Shakti Kunj Colony,
Parali (Vai.), Tq.Parali (Vai.), Dist.Beed.

..Applicant

Versus

The State of Maharashtra
Through Police Inspector,
Dhoki Police Station,
Tq. & Dist.Dharashiv.

..Respondent

...

Advocate for Applicant : Mr. Vivekanand B. Deshmukh
APP for Respondents: Mr.S.M.Ganachari

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 15 OCTOBER, 2024

ORDER :-

1. This is an application for suspension of sentence and grant of bail as a result of judgment and order of conviction dated 14-06-2024 passed by Additional District Judge, Osmanabad in Sessions Case No.32 of 2023.

2. Learned Advocate for applicant submitted that applicant was tried for commission of offence under Section 353, 332 read with 334 of the Indian Penal Code (IPC). That learned trial Judge held applicant guilty for offence under Section 332 of the IPC and sentenced him till rising of the Court and to pay fine amount. That fine amount is paid. That he was on bail during the trial. That he has challenged judgment of conviction but appeal being 2024, it will take long time to be heard and decided and hence, the above relief is prayed.

3. Learned APP strongly opposed the application.

4. It seems that vide Sessions Case No.32 of 2023 present applicant was made to face trial for commission of offence under Sections 353, 332 read with 34 of the IPC. Admittedly conviction is recorded for offence under Section 332 of the IPC and operative part of the judgment shows that sentence awarded is till rising of the Court and to pay fine. Exception is taken to the above judgment, which is apparently of 2024. Applicant was said to be on bail during trial.

5. Considering the quantum of sentence, relief as prayed deserves to be granted. Accordingly, I proceed to pass following order :

ORDER

- (i) Criminal Application stands allowed.
- (ii) The sentence imposed on the applicant - Datta Govind Puri in Session Case No. 32 of 2023 by the learned Additional District Judge, Osmanabad on 14-06-2024 stands suspended till the final hearing and disposal of Criminal Appeal No.744 of 2024.
- (iii) The applicant be released on P.R. Bond of Rs.10,000/- (Rs.Ten thousand only) with two solvent sureties in the like amount.
- (iv) The applicant shall not commit any criminal activity.
- (v) The applicant shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date he tenders bail papers and thereafter, the trial Judge to fix dates for his subsequent appearances.

- (vii) In case of two consecutive defaults on the part of the applicant to remain present before the trial Court, the trial Court to inform this Court about the same and in that eventuality, the prosecution would be at liberty to file an application for cancellation of the bail granted to the applicant.
- (viii) Bail before the trial Court.

(ABHAY S. WAGHWASE)
JUDGE