



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO.392 OF 2024
WITH
INTERIM APPLICATION NO.1562 OF 2024**

FASABAI SHANTARAM RAVATE AND ORS. ..APPELLANTS
VS.
THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Hrishi Ghorpade a/w Adv. Omkar Khedekar i/b Adv.
Shailesh Mhaske for the Appellants.

Ms. Sangeeta D. Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : APRIL 15, 2024

P.C. :

CRIMINAL APPEAL NO.392 OF 2024

1. Admit.
2. Call for record and proceedings.
3. Learned APP waives service of notice on behalf of the State.

INTERIM APPLICATION NO.1562 OF 2024

4. This is an application for suspension of the sentence imposed by the trial Court vide judgment and order dated 12/03/2024 and for bail.

5. The applicant Nos. 1 to 4 were convicted for the offence punishable under Section 323 read with 147 of the Indian Penal Code (IPC). The maximum punishment imposed is 1 year of rigorous imprisonment and fine. Applicant No. 5 was convicted for the offence punishable under Section 143 of the IPC and was sentenced to suffer 3 months of rigorous imprisonment and fine. The fine amount has been paid by the applicants.

6. Learned APP opposed the application and submitted that upon proper appreciation of the evidence on record, the trial Court has convicted the applicants. It is further submitted that even some of the co-accused have been sentenced to suffer life imprisonment.

7. The applicants were on bail during the trial. There is nothing on record to indicate that the applicants misused their liberty while they were on bail during the trial. Considering the short sentence and as the appeal is unlikely to be heard any time soon, I am inclined to suspend the sentence and enlarge the applicants on bail.

8. The sentence imposed by the trial Court vide

judgment and order dated 12/03/2024 in respect of the applicants is suspended.

9. The applicants are enlarged on the same bail as in the trial Court but with fresh bonds each.

10. The applicants shall report to the trial Court once a year, on the first Monday of the concerned month, between 10.00 a.m. to 01.00 p.m., commencing May 2024.

11. The applicants shall furnish their contact numbers and residential addresses to the Investigating Officer and shall keep him updated, in case there is any change.

12. The interim application is disposed of.

(M. S. KARNIK, J.)