

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL INTERIM APPLICATION NO. 2282 OF 2024
IN
CRIMINAL APPEAL NO. 310 OF 2024

Subhash Trimbak Pawar and Ors. Applicants

Versus

The State of Maharashtra Respondent

Adv. Zubi Ansari i/b Mr. Ritesh Thobde, for the Applicant.
Mr. Swapnil V. Walve, APP, for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th DECEMBER, 2024.

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P.C. :

1. By this application, Applicants are seeking suspension of sentence.
2. Learned counsel for the Applicants submits that Applicants are convicted under Sections 143, 147, 148 and 504 read with Section 149 of the Indian Penal Code, 1860 (for short “IPC”) and sentenced to suffer for Rigorous Imprisonment for six months each. For the offence punishable under Sections 143, 147, 148 and 504 read with section 149 of the IPC. The Applicants are sentenced to suffer Rigorous Imprisonment for three years and to pay fine of Rs.2,00/- each. For the

offence punishable under Sections 452 and 324 of read with section 149 of the IPC and in default of payment of fine to suffer for Rigorous Imprisonment for 8 days.

Learned counsel further submitted that the learned Sessions Judge has suspended the sentence till appeal period. Hence, requested to allow the Application.

3. Learned APP strongly objected to allow the application.

4. I have heard both learned counsel. The sentence imposed on the Applicants are short term sentence. During the trial, they were on bail. They have not misused liberty. It may take time to dispose of the appeal.

5. In view of the above, I pass following order:

ORDER

- i. Application is allowed.
 - ii. The sentence imposed on the Applicants are suspended till final disposal of the appeal.
 - iii. The surety and bail bond furnished by the Applicants before the trial Court be continued till final disposal of the appeal.
- The Application stands disposed of.

(SHIVKUMAR DIGE, J.)