

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL INTERIM APPLICATION NO.4757 OF 2024
IN
CRIMINAL APPEAL NO.1221 OF 2024

1. Rudrapal Kailas Agrawal. Applicants
2. Tushar Rudrapal Agrawal

Versus

State of Maharashtra Respondent

Adv. B. B. Tiwari a/w Mr. Ashok Varma and Mr. Ajay Talreja, for the Applicants.

Mr. Shrikant H. Yadav, APP, for the Respondent – State.

Mr. Vishal Gawade, Gaondevi Police Station, Present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th DECEMBER, 2024.

P.C. :

1. By this application, Applicants are seeking suspension of sentence.

2. Learned counsel for the Applicants submits that Applicants have been convicted under Sections 353, 332 and 504 read with Section 34 of the Indian Penal Code, 1860 (for short “IPC”) and

sentenced to suffer Simple Imprisonment for one year, along with a fine of Rs.1,000/- each. In default of payment of fine, they are suffered to undergo Simple Imprisonment for one month. Hence, requested to allow the application.

2.2. Learned counsel further submitted that Applicants have furnished the surety and bail bond before the trial Court.

3. Learned APP strongly objected to allow the application.

4. I have heard both learned counsel.

5. The sentence imposed on the Applicants is short term sentence. During the trial, both the Applicants were on bail and they have not misused liberty. It may take time to dispose of the appeal.

6. In view of above, I pass following order:

ORDER

i. Application is allowed.

ii. The sentence imposed on the Applicants in C.R. No. 114 of 2018 registered with Gaondevi Police Station is suspended till final disposal of the appeal.

iii. The surety and bail bond of Rs.20,000/- executed by the Applicants before the trial Court be continued till the final disposal of the appeal.

The application stands disposed of.

7. In view of the above order, Criminal Interim Application No.4756 of 2024 will not survive for consideration and same is disposed of.

(SHIVKUMAR DIGE, J.)