

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

CRIMINAL APPEAL NO. 1223 OF 2024
WITH
INTERIM APPLICATION NO. 4774 OF 2024
IN
CRIMINAL APPEAL NO. 1223 OF 2024

Jitendra Zumbar Pawar

.... Appellant/
Applicant

Versus

The State of Maharashtra

.... Respondent

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Mr. Manoj Bagal, for the Appellant/Applicant.
Mr. C. D. Mali, APP, for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th NOVEMBER, 2024.

P.C. :

CRIMINAL APPEAL NO. 1223 OF 2024

1. Heard.
2. Issue notice to the Respondent, returnable on 20th December, 2024.
3. Learned APP waives service on behalf of Respondent – State.

INTERIM APPLICATION NO. 4774 OF 2024

1. By this application, Applicant is seeking suspension of sentence.
2. Learned counsel for the Applicant submits that Applicant is convicted for the offence punishable under Section 395 of the Indian Penal Code, 1860 (for short “IPC”) and directed to suffer Rigorous Imprisonment for a period of three years and pay fine of Rs.10,000/-. The Applicant was on bail during the trial and also granted bail till appeal period. Hence, requested to allow the application.
3. Learned APP submits that appropriate order be passed.
4. I have heard both learned counsel. The sentence imposed on the Applicant is short term sentence. He was on bail during the trial. He has not misused liberty. Hence, I pass following order:

ORDER

- i. Application is allowed.
 - ii. The sentence imposed on the Applicant is suspended till the disposal of appeal.
5. In view of above, the application stands disposed of.

(SHIVKUMAR DIGE, J.)