



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION NO.398 OF 2024

IN

CRIMINAL APPEAL NO.211 OF 2024

(Nitin @ Golu s/o Devrajpur Multani Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. V.R. Borkar, Advocate for the appellant.
Ms S. Haider, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 15, 2024.

By this application, the appellant is seeking suspension of sentence and releasing him on bail.

2. The appellant is convicted by the Special Judge (under Atrocities Act) and Sessions Judge, Gondia by which the appellant is held guilty of the offence punishable under Sections 354-A(ii) and 354-C of the Indian Penal Code and sentenced to suffer rigorous imprisonment for two years and fine of Rs.2000/-. He is also convicted of the offence punishable under Section 354-C and sentenced to suffer rigorous imprisonment of two years and fine of Rs.2000/-.

3. Learned Counsel for the appellant submitted that the appellant has many arguable points in the present appeal but the appeal would take its own time for its final disposal. Moreover, the punishment imposed is for a

limited period. In the meanwhile, if sentence is executed the appeal would become infructuous.

4. Learned Additional Public Prosecutor strongly opposed the application on the ground that the appeal is devoid of merits and application deserves to be dismissed.

5. I have heard learned Counsel for both the parties and perused the impugned judgment from which the learned Counsel for the appellant pointed out that he has many arguable points in the appeal. Moreover, the punishment imposed is for a limited period. In view of that, the application for suspension of sentence deserves to be allowed. Accordingly, I proceed to pass following order :

(i) The application is allowed.

(ii) The execution of the sentence is hereby suspended till final disposal of the appeal.

(iii) The applicant be released on bail on executing P.R. Bond in the sum of Rs.15,000/- (Rs. Fifteen thousand) with one surety in the like amount.

(iv) The applicant shall furnish his Cell-phone number and address along with address proof before the trial Court.

6. The application stands disposed of.

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Heard.

2. **ADMIT.**
3. Call for R. & P
4. Issue notice to respondent.
5. Learned APP waives notice for the State.
6. Place the appeal before the Court after preparation of the paper book and after receipt of R. & P

(URMILA JOSHI-PHALKE, J.)

**Divya*