



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

CRIMINAL APPLICATION (APPR) NO.100 OF 2024 IN
CRIMINAL REVISION APPLICATION NO.76 OF 2024

Sopan s/o Tejrao Kasar Vs. State of Maharashtra and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri Akash Gupta, Advocate for applicant.
Shri Aditya Gohokar, APP for non-applicant no.1/State.
Shri Amol Darekar, Advocate for non-applicant no.2.

CORAM : M.W. CHANDWANI, J.
DATE : APRIL 26, 2024.

The applicant seeks suspension of sentence awarded by the learned Judicial Magistrate First Class, Deulgaon Raja, District Buldhana in Regular Criminal Case No.34 of 2019 and further confirmed by the learned Additional Sessions Judge, Buldhana in Criminal Appeal No.38/2022. The applicant has been convicted under Section 354 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for two years and to pay fine amount of Rs.5,000/-, in default simple imprisonment for two months.

2. Heard learned counsel for the applicant, learned APP for the non-applicant no.1/State and learned counsel for the non-applicant no.2. Perused the record.

3. Learned counsel for the applicant submits that infact the matter has been settled between the applicant and non-applicant no.2/complainant. Learned counsel for the non-applicant no.2 also confirms the same.

4. The applicant did not misuse the liberty of bail during trial. The conviction is fixed term of two years. Hearing of revision application may take considerable time. A case is made out for suspension of sentence. Hence, the following order :

ORDER

- i. Criminal Application is allowed.
- ii. Pending revision, the substantive sentence imposed on the applicant in Regular Criminal Case No.34/2019 by the learned Judicial Magistrate First Class, Deulgaon Raja, District Buldhana dated 19.05.2022 shall remain suspended.
- iii. The applicant is released on bail on furnishing PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- iv. The application is disposed of.

JUDGE

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