



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

CRIMINAL APPEAL NO.731 OF 2024

TARACHAND HARIBHAU KAMDI
VS

THE STATE OF MAHARASHTRA THROUGH ITS PS HINGANGHAT DIST
WARDHA

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

Court's or Judge's order

Mr. Utkarsh Hingmire, h/f Mr. S.V. Sirpurkar, Advocate for the applicant
Mr. S.B. Bissa, APP for the non-applicant/State

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 17th December, 2024.

1. Heard.
2. **Admit.**
3. Issue notice to the respondent.
4. Learned APP waives service for the respondent/State.
5. Call for the R & P.

Criminal Application (APPA) No.1233 of 2024

6. Heard rival submissions.
7. The appellant-accused is seeking suspension of his substantive sentence of imprisonment awarded to him by the learned Additional Sessions Judge, Hinganghat, Dist. Wardha in Special Atrocity Case No.13 of 2017 under Section 354, 354-A(1)(i) and 354-A(1)(iv) of the Indian Penal Code (IPC) on 18.11.2024.

8. The appellant is convicted for the offence under Section 354, 354-A(1)(i) and 354-A(1)(iv) of the IPC, but he is acquitted for the offence under the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act. The appellant-accused is sentenced to suffer Rigorous Imprisonment for the aforesaid offence as mentioned in the judgment along with fine.

9. It appears that the fine amount is already paid by the appellant-accused. The learned counsel for the appellant submits that during the pendency of trial the appellant was on bail and even after conviction, he is released on bail by the learned Convicting Court.

10. In view of the same, the substantive sentence of imprisonment awarded by the learned Additional Sessions Judge, Hinganghat, Dist. Wardha in Special Atrocity Case No.13 of 2017 on 18.11.2024, as mentioned in the operative part of the judgment, stands suspended during the pendency of this appeal.

11. The appellant-accused is hereby released on P.R. of Rs.25,000/- with one solvent surety in the like amount.

12. Bail in trial Court.

13. The application is **disposed of**.

(SANDIPKUMAR C. MORE, J.)