

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO. 909 OF 2022

Raju s/o Hiranman Kosare

..vs..

State of Maharashtra, thr. P.S.O. Durgapur

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

Court's or Judge's orders

Shri Mahesh Rai, Advocate for the appellant/applicant.
Shri Deshpande, A.P.P. for Non-applicant/State.

CORAM : VINAY JOSHI, J.

DATED : 30.12.2022.

CRIMINAL APPLICATION NO. 1185 OF 2022.

Heard.

2. The applicant/accused is seeking for condonation of delay of 105 days caused in filing appeal to challenge the order of conviction. The applicant/appellant would submit that due to financial crisis, he was unable to engage Counsel and file the appeal.

3. Having regard to above facts, application stands allowed. Delay is condoned. The appeal be registered and numbered accordingly.

4. The application stands disposed of.

CRIMINAL APPEAL NO. 909 OF 2022

Heard.

2. **ADMIT.**

3. Learned A.P.P. waives notice on behalf of the non-applicant/State.

CRIMINAL APPLICATION NO. 1186 OF 2022

Heard.

2. The applicant/appellant is seeking for suspension of execution of sentence during pendency of the appeal. The appellant/applicant was convicted by the Trial Court for the offence punishable under Section 353, 504 and 506 of the Indian Penal Code. The maximum sentence imposed by the Trial Court is to suffer rigorous imprisonment for one year and to pay total fine of Rs.2,000/-.

3. Perused the evidence and the reason assigned by the Trial Court while returning the findings of guilt. The Trial Court has suspended the execution of sentence during pendency of the appeal.

4. Considering the nature and gravity of offence, execution of substantive sentence stands suspended till disposal of the appeal on condition that the appellant/applicant shall deposit entire fine amount in the Trial Court within four days from today failing which this order of suspension stands revoked.

5. The Trial Court shall ensure deposit of entire fine amount before accepting the surety.

6. The application stands disposed of.

(VINAY JOSHI, J.)

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TRUPTI SANTOSHJI AGRAWAL

30.12.2022 15:01