



(Note : This order is corrected pursuant to speaking to the minutes of order dated 01.09.2026)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3571 OF 2026
IN
CRIMINAL APPEAL NO. 719 OF 2026

1. Mangesh Siddharth Jadhav
Age: 32 years, Occu.: Nil,
2. Siddharth Magan Jadhav
Age: 50 years, Occu.: Tailor,
R/o. Near Savitribai Phule
High School, Bhausing Pura,
Aurangabad

... Applicants
[Accused]

Versus

- . The State of Maharashtra
Through the Officer in charge,
of Chavani Police Station, Aurangabad.

... Respondent

.....

Mr. Pravin D. Jadhav, Advocate for the Applicants.

Mr. S. M. Ganachari, APP for the Respondent-State.

.....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 29.08.2026

PRONOUNCED ON : 31.08.2026

ORDER :

1. Instant application is for suspension of sentence awarded in Sessions Case No. 457 of 2023 dated 14.08.2026 for offence under Sections 326, 367 of the Indian Penal Code [IPC] and equally, prayer

is raised for grant of bail also.

2. Learned Counsel for the applicants submitted that applicants were tried vide Sessions Case No.457 of 2023 and they came to be convicted for offence under Sections 326, 367 of IPC. That, maximum sentence awarded is of five years and to pay fine amount. Said fine amount is paid. That, against said judgment and order of conviction, appeal has been preferred, but the same is of the year 2026 and may not be heard in immediate near future. That, applicants were on bail during trial. That, there is incorrect appreciation of evidence. That, applicants have good case on merits. For such reasons, relief of suspension of sentence and grant of bail is urged for.

3. Learned APP opposed the application on the ground that on full-fledged trial, conviction has been recorded and moreover, there was use of iron rod for causing grievous injury like fracture.

4. After considering the above submissions and upon going through the record, it appears that the applicants were charged with and tried for the offences punishable under Sections 367, 307, 326, 323, 504 and 506, read with Section 34 of the IPC, in respect of an occurrence that took place on 13.05.2024. During the said occurrence, accused Mangesh, accompanied by his friend, came on a

motorcycle and forcibly took the victim on the motorcycle towards Bankar Hall, where he was initially assaulted with fists and kicks. Meanwhile, accused No.3 Siddharth came with his friend with iron rod and it is alleged that Mangesh and Siddharth assaulted by means of iron rod on both legs of the informant causing him fracture injuries. There is medical evidence in the form of evidence of PW7. Apparently, conviction awarded is only for offence under Sections 326 and 367 of IPC. The accused and the informant appear to be relatives. It seems that an earlier dispute i.e. involving sister of accused No.1 and daughter of accused No.3 resulted the incident in question. An appeal has been preferred against the judgment and order of conviction, however, since the appeal is of the year 2026, it may not be heard in the immediate near future. Taking into consideration the above discussion, the relief as prayed deserves to be granted. Hence, I proceed to pass the following order:

ORDER

- I. Criminal Application stands allowed.
- II. The substantive sentence imposed on the applicants viz., (1) Mangesh Siddharth Jadhav and (2) Siddharth Magan Jadhav in Sessions Case No. 457 of 2023 by the learned Additional Sessions Judge, Aurangabad on 14.08.2026, stands suspended

till the final hearing and disposal of Criminal Appeal No.719 of 2026.

- III. The applicants be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) each with two solvent sureties each in the like amount.
- IV. The applicants shall not commit any criminal activity.
- V. The applicants shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date they tenders bail papers and thereafter, the trial Judge to fix dates for his subsequent appearances.
- VI. In case of two consecutive defaults on the part of the applicants to remain present before the trial court, the trial court to inform this court about the same and in that eventuality, the prosecution would be at liberty to file an application for cancellation of bail granted to the applicants.
- VII. Bail before the trial court.

[ABHAY S. WAGHWASE, J.]