



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**907 CRIMINAL APPLICATION NO. 4322 OF 2024**

**VIJAY UTTAM RANVIR  
VERSUS  
THE STATE OF MAHARASHTRA**

...

Mr. Sachin Deshmukh, Advocate for Applicant  
Mr. N. D. Batule, APP for Respondent State

**CORAM : Y. G. KHOBRADE, J.**

**Dated : 17th October, 2024**

**PER COURT :-**

1. Heard Mr. Sachin Deshmukh, the learned counsel for the Applicant and Mr. N. D. Batule, the learned APP for the Respondent State, at length.

2. By the present Application, the Applicant prayed for quash and set aside Clause (iii) of the order dated 8th August, 2023, passed below Exh.5 in Criminal Appeal No.11 of 2024, whereby, the learned Additional Sessions Judge, Hingoli imposed the condition of deposit of compensation of Rs. One crore with the Government while suspending the sentence.

3. It is needless to state that on 18.05.2024, the learned J.M.F.C., Kalamnuri. passed the judgment and order in Regular Criminal Case No. 76 of 2023, convicting the present

applicant/accused for the offence punishable under Sections 406 and 420 read with section 34 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for three years. So also, the applicant/accused was directed to pay compensation of Rs. One crore to the Government through the Collector, Hingoli, failing which the applicant required to undergo further rigorous imprisonment for 30 months. The said order of conviction came to be challenged by the applicant in Criminal Appeal No.11 of 2024 before the Sessions Court and also filed Exh.5, an application for suspension of sentence.

4. On 5th August, 2024, the learned Additional Sessions Judge, Hingoli passed an order below Exh.5 and suspended the sentence during the pendency of the appeal subject to deposit of amount of compensation of Rs. One crore with the Government and on furnishing P.R. bond of Rs.5 lakhs. However, the applicant is seeking modification of condition to the extent of depositing payment of compensation of Rs. One crore on the ground that his financial condition is weak and unable to deposit the said amount.

5. In support of his submission, the learned counsel for the Applicant placed reliance on the judgment and order dated

31.01.2023 passed by the Hon'ble Supreme Court in SMWP(Cri.) No. 4 of 2021(Policy Strategy for Grant of Bail), wherein, it has been observed that many under trial prisoners are languishing in jail despite grant of bail for want of furnishing bail bond, surety etc. However, in the case in hand, the applicant accused has been convicted for the offences punishable under Sections 406 and 420 read with section 34 of the Indian Penal Code and along with sentence of rigorous imprisonment of three years, also directed to pay compensation to the Government. Therefore the guidelines laid down by the Hon'ble Supreme Court is not applicable to the facts and circumstance of the case.

6. In view of the above, I do not find any force in the present Application, hence, the it is rejected.

**( Y. G. KHOBRADE, J. )**

Chavan