



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

CRIMINAL APPLICATION NO.1002 OF 2024

IN

CRIMINAL APPEAL NO.571 OF 2024

(Ulhas Shalikram Pawar Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. M.R. Pande, Advocate for the appellant.
Ms T.H. Udeshi, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- OCTOBER 14, 2024.

By this application, the appellant is seeking suspension of sentence and releasing him on bail.

2. The appellant was prosecuted of the offence punishable under Sections 353, 332, 447, 504, 506 read with Section 34 of the Indian Penal Code. After trial the appellant is held guilty of the offence punishable under Sections 353 and 332 of the IPC and sentenced to suffer simple imprisonment of six months and fine of Rs.2000/- in default S.I. for one month of the offence punishable under Section 353 and sentenced to suffer S.I. for six months and fine of Rs.2000/- in default SI for one month of the offence punishable under Section 332 of the IPC.

3. Learned Counsel for the appellant submitted that the punishment imposed is of a limited period. From the impugned judgment he pointed out that he has many arguable points in the present appeal. The appeal would

take its own time for its final disposal. In the meantime, if sentence is executed the purpose of preferring the appeal would frustrate. In view of that, he be released on bail and the execution of sentenced be suspended.

4. Learned APP strongly opposed the application on the ground that the appeal itself is devoid of merits and therefore, the application deserves to be rejected.

5. I have heard learned Counsel for both the parties and perused the order passed by the Additional Sessions Judge, Washim from which learned Counsel for the appellant has pointed out that he has many arguable points in the present appeal. Moreover, punishment imposed is of a limited period. The appeal would take its own time for its final disposal. In the meantime, if sentence is executed the purpose of preferring the appeal would frustrate. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order :

(i) The application is allowed.

(ii) The execution of the sentence vide order dated 04/09/2024 passed by the Additional Sessions Judge, Washim in Sessions Case No.36/2022 is hereby suspended till final disposal of the appeal.

(iii) The appellant – Ulhas Shalikram Pawar be released on bail on executing P.R. Bond in

the sum of Rs.25,000/- (Rs. Twenty Five thousand) with one surety, in the like amount.

6. The application stands disposed of.

CRIMINAL APPEAL NO.571 OF 2024

Heard.

2. **ADMIT.**
3. Learned APP waives notice for the State.
4. Call for R. & P.
5. Place the appeal before the Court after preparation of the paper book.

(URMILA JOSHI-PHALKE, J.)