



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 385 OF 2025
IN
CRIMINAL REVISION APPLICATION NO.29 OF 2025

Dayanand S/o. Daulat Jagdhane,
Age : 25 years, Occ : Labour,
R/o:- Bathan (Budruk),
Tq. & Dist.:- Jalna.

... Applicant

Versus

The State of Maharashtra,
Through Inspector of Police,
Police Station Taluka,
Jalna, Tq. & Dist. :- Jalna.

... Respondent

.....
Mr. Avinash B. Katkar, Advocate for Applicant
Mrs. Vaishali S. Chaudhari, APP for Respondent - State
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CORAM : ABHAY S. WAGHWASE, J.
DATED : 12 FEBRUARY, 2025

ORDER :

1. Applicant seeks suspension of sentence and grant of bail on account of conviction recorded by learned J.M.F.C., Jalna in R.C.C. No.313 of 2020 for offence punishable under section 354-C of Indian Penal Code and same being confirmed by District Judge-5 and Additional Sessions Judge, Jalna vide order dated 13.01.2025.

2. It submitted that, applicant has tried by learned J.M.F.C., Jalna for offence punishable under section 354-C IPC vide

R.C.C No.313 of 2020 and on trial held guilty and sentenced to suffer one year imprisonment and to pay fine. That, the same was challenged before District Judge-5 & Additional Sessions Judge, but the same was dismissed. That, applicant was on bail during trial as well as in appellate court. That, quantum of sentence is only of one year. That, revision against trial court and appellate court orders is of 2025 and it would take long time to be heard. Hence, relief of suspension of sentence and grant of bail are pressed into service.

3. Learned APP opposed on the ground that offence is serious and on full-fledge trial guilt has been recorded and there is possibility of misuse of liberty, if bail is granted.

4. Heard. Perused the papers. It is emerging that, vide R.C.C. No. 313 of 2020 applicant was tried by learned J.M.F.C. for commission of offence punishable under section 354-C IPC and on appreciation of evidence also held guilty for the same. Attempt to challenge the same by way of appeal also seems to have gone futile as first Appellate Court dismissed the same by order dated 13.01.2025. Against the same, revision seems to have been preferred before this court, apparently it is of this year.

5. Taking the quantum of sentence into consideration and revision being of 2025 and there being no immediate prospects of hearing the same, relief as prayed deserves to be granted. Hence, the following order is passed :-

ORDER

- i] Criminal Application stands allowed.
- ii] The substantive sentence imposed on the applicant Dayanand S/o. Daulat Jagdhane by learned J.M.F.C. Jalna in R.C.C. No.313 of 2020 and as confirmed by learned District Judge-5 and Additional Sessions Judge, Jalna on 13.01.2025 stands suspended till the final hearing and disposal of Criminal Revision Application No.29 of 2025.
- iii] The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one solvent surety in the like amount.
- iv] The applicant shall not commit any criminal activity.
- v] Bail before the trial court.

(ABHAY S. WAGHWASE, J.)