



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 687 OF 2025
IN
CRIMINAL REVISION APPLICATION NO.70 OF 2024

1. Mahesh Bhausaheb Lagad,
Age : 28 years, Occu. : Agriculture,
R/o. Mandava, Tq. Ashti, Dist. Beed.
2. Ramhari S/o. Bhausaheb Lagad,
Age : 29 years, Occu. : Agriculture,
R/o. Mandava, Tq. Ashti, Dist. Beed. ... Applicants

Versus

The State of Maharashtra,
Through Police Station, Ashti,
Tq. Ashti, Dist. Beed. ... Respondent

.....
Mr. Shashikant E. Shekade, Advocate for Applicants.
Mr. N. D. Batule, APP for Respondent – State.
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CORAM : ABHAY S. WAGHWASE, J.

DATED : 20th FEBRUARY, 2025

ORDER :

1. Present application is for suspension of sentence and grant of bail on account of conviction recorded by learned Sessions Judge, Beed in Criminal Appeal No. 81 of 2019, dated 15.02.2025.

2. It is submitted that, present applicants were charge-sheeted for commission of offence under sections 147, 148, 325, 324, 323 and 504 r/w section 149 of Indian Penal Code. That, vide

R.C.C. No.102 of 2009, on full-fledge trial and on appreciation of evidence, applicants were acquitted. That, original informant questioned the same by filing Criminal Appeal bearing No. 81 of 2019 before Sessions Court and the same came to be allowed recording conviction, but only for offence punishable under sections 323, 324 and 325 r/w section 149 of IPC. That, maximum sentence awarded is one year for above offences. That, said judgment of learned Sessions Court is questioned by filing revision before this court. According to learned counsel, revision being of current year, it would take long time to be heard and decided. Hence, prayers for suspension of sentence and grant of bail are pressed into service.

3. Learned APP opposed on the ground that, acquittal was on improper appreciation. That, appellate court re-appreciated the the entire evidence and recorded guilt. Learned APP further apprehends the possibility of misuse of liberty if granted. On all above counts, learned APP seeks rejection.

4. After hearing respective sides and on perusing papers, it does emerge that, R.C.C. No.102 of 2009 conducted by learned J.M.F.C. Ashti, resulted into acquittal by order dated 17.07.2019. On challenge to the acquittal by original informant, by way of

appeal bearing No.81 of 2019, the same seems to have been allowed. Sentence awarded for the offence under sections 325, 324 and 323 is apparently one year, six months and one month, respectively. Revision Application bearing No.70 of 2025 being of current year 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 applicants, namely (i) Mahesh Bhausaheb Lagad and (ii) Ramhari S/o. Bhausaheb Lagad by learned Sessions Judge, Beed on 15.02.2025 stands suspended till the final hearing and disposal of Criminal Revision Application No.70 of 2025.
- iii] The applicants be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one solvent surety in the like amount.
- iv] The applicants shall not commit any criminal activity.
- v] Bail before the trial court.

(ABHAY S. WAGHWASE, J.)