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

923 CRIMINAL APPLICATION NO.953 OF 2025 IN APPEAL/175/2025

Madhukar S/o Chandrakant Nale,
Age :- 4r years, Occ. Tailoring,
R/o. Yevta, Tq. Kaij, Dist. Beed.

... Applicant
(Orig. Accused No.1)

Versus

The State of Maharashtra
Through Police Inspector,
Tuljapur Police Station,
Tq. Tuljapur, Dist. Osmanabad.

... Respondent

.....
Mr. P.P. More, Advocate for Applicant
Mr. N.D. Batule, APP for Respondent - State
.....

CORAM : ABHAY S. WAGHWASE, J.

DATED : 13 MARCH 2025

PER COURT :-

1. Present application is for suspension of sentence and grant of bail by virtue of conviction order passed by learned Additional Sessions Judge, Osmanabad in Sessions Case No.07 of 2019.

2. Learned counsel for applicant pointed out that, the present applicant was tried by learned Additional Sessions Judge on allegation of commission of offence under section 498-A of the Indian Penal Code. That, judgment has been rendered on

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21.01.2025 holding applicants guilty for above offence. It is pointed out that, sentence awarded is of three years. That, exception has been taken to the above judgment by filing appeal, however, appeal being of 2025, there are no chances of hearing being conducted immediately. That, applicant was on bail during trial and hence relief of suspension of sentence and grant of bail are pressed into service.

4. Learned APP opposed on the ground that on full-fledge trial guilt has been recorded.

5. Heard. Perused the papers. It seems that, vide judgment and order dated 21.01.2025 passed in Sessions Case No. 07 of 2019, present applicant is held guilty for offence punishable under sections 498-A of IPC. Apparently, maximum sentence is of three years and to pay fine. Applicant is said to be on bail during trial. As appeal against above judgment and order is of 2025 and obviously it would take long time to be heard and decided, relief as prayed deserves to be granted. Hence, the following order is passed :

ORDER

I. Criminal Application stands allowed.

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II. The substantive sentence imposed on the applicant, namely, Madhukar S/o Chandrakant Nale, in Sessions Case No.07 of 2019 by learned Additional Sessions Judge, Osmanabad on 21.01.2025, stands suspended till the final hearing and disposal of Criminal Appeal No.175 of 2025.

III. The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with two solvent sureties each in the like amount.

IV. The applicant shall not commit any criminal activity.

V. The applicant shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date he tender bail papers and thereafter, the trial Judge to fix dates for his subsequent appearance.

VI. In case of two consecutive defaults on the part of the applicant 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 applicant.

VII. Bail before the trial court.

**ABHAY S. WAGHWASE,
JUDGE**