



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

920 CRIMINAL APPLICATION NO. 1018 OF 2025
IN CRIMINAL APPEAL NO. 193 OF 2025

Vishnudas Yadav Tarpe,
Age : 27 years, Occ. : Agriculture,
R/o. : sonwadi, Tq. Kinwat, Dist. Nanded **APPLICANT**

VERSUS

The State of Maharashtra,
Through Police Station Officer,
Islapur Police Station, Nanded,
Tq. and Dist. Nanded **RESPONDENT**

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Mr. M.V. Thorat - Advocate for Applicant
Mr. P.K. Lakhotiya - APP for sole Respondent, State

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CORAM : ABHAY S. WAGHWASE, J.
DATE : 25.03.2025

PER COURT :

1. Instant application is for suspension of sentence and grant of bail on account of conviction recorded by learned Additional Sessions Judge-3, Nanded dated 19.10.2024 in Sessions Case No. 102 of 2019.

2. Learned Counsel pointed out that present applicant was tried by the Additional Sessions Judge - 3, Nanded vide Sessions Case No.102 of 2019. That, he has been held guilty for offences punishable under Sections 306, 498-A and 323 of the Indian Penal Code. That, on trial, applicant is convicted for above offence. That,

maximum sentence is for three years and to pay fine. That, he had paid fine amount. That, applicant has preferred appeal and the same is of the year 2025. According to him, as appeal against conviction would take long time to be heard, he urged for relief of suspension as well as grant of bail.

3. Opposing the above application, learned A.P.P. pointed out that maximum sentence awarded is imprisonment for three years. He submitted that, on full fledged trial guilt has been recorded.

4. Heard. Perused the papers including the judgment under challenge by way of appeal. Apparently, applicant was tried vide Sessions Case No.102 of 2019 on charge of Section 306, 498-A and 323 of IPC and vide judgment and order dated 19.10.2024, applicant/husband is held guilty. Said judgment is challenged by way of appeal and the same appears to be numbered as Criminal Appeal No. 193 of 2025. Consequently, appeal being recent, may not be heard early. Applicant was reported to be on bail during trial. Therefore, in the light of above discussion, relief of suspension of sentence deserves to be granted. Hence, following order is passed :

ORDER

(a) Criminal Application stands allowed.

(b) The substantive sentence imposed on the applicant in Sessions Case No. 102 of 2019 by the learned Additional Sessions Judge - 3, Nanded on 19.12.2024, stands suspended till the final hearing and disposal of Criminal Appeal No. 193 of 2025.

(c) The applicant be released on P.R. Bond of Rs.15,000/- (rupees Fifteen Thousands only) with one solvent surety each, in the like amount.

(d) 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 appearances.

(e) 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.

(f) Bail before the trial Court.

[ABHAY S. WAGHWASE, J.]