



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1006 OF 2025
IN
CRIMINAL REVISION APPLICATION NO. 100 OF 2025

1. Ravi s/o Madan Dudile
Age : 36 years, Occupation : Agriculture,
2. Ankush s/o Madan Dudile
Age : 38 years, Occupation : Agriculture,
3. Vishwas s/o Aniruddha Dudile
Age : 42 years, Occupation : Agriculture,
4. Madhav s/o Aniruddha Dudile
Age : 46 years, Occupation : Agriculture,
5. Babu s/o Kishanrao Dudile
Age : 71 years, Occupation : Agriculture,
6. Madan s/o Kishan @ Kishanrao Dudile
Age : 68 years, Occupation : Agriculture,
7. Bhalchandra s/o Aniruddha Dudile
Age : 44 years, Occupation : Agriculture,

All R/o. Murambi, Taluka Chakur,
District Latur.

.... Applicants
[Orig. Accused]

Versus

1. The State of Maharashtra
2. Pandhari s/o Sopan Dudile
Age : 45 years, Occupation Service,
R/o. Murambi, Taluka Chakur,
District Latur.
3. Sopan s/o Nivarati Dudile
Age : 75 years, Occupation Agriculture,
R/o Murambi, Taluka Chakur,
District Latur.

(First Informant)

... Respondents

.....
Mr. Sachin S. Panale, Advocate for the Applicants.
Mr. P. K. Lakhotiya, APP for Respondent No.1-State.
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CORAM : ABHAY S. WAGHWASE, J.

DATED : 18.03.2025

ORDER :

1. Not on board. Upon mentioning, taken on board.
2. Instant application is for suspension of substantive sentence and grant of bail as a result of conviction recorded by Learned Sessions Judge, Latur in Criminal Appeal No 34 of 2018 for offence under Sections 147, 148, 149 and 324 of IPC.
3. Learned counsel submitted that applicants were tried vide R.C.C. No. 73 of 2011. That on complete appreciation, they were acquitted of all charges. However, appel was preferred against the same and learned Sessions Judge partly allowed the appeal convicting the applicants as above, against which, revision bearing Criminal Revision Application No. 100 of 2025 is preferred. That, quantum of sentence is one year's imprisonment. That, applicants were on bail in trial court as well as first appellate court. That, much more time would be required to hear the revision which of year 2025 and hence, prayers of suspension of sentence and grant of bail

4. Learned APP opposed on the ground that on complete re-appreciation, first appellate court recorded guilt of the applicants. However, learned APP did not refute statement made across the bar that, applicants were on bail during trial and during proceedings before the first appellate court.

5. Revision takes exception to first appellate court's order dated 01.03.2025 and the same is apparently of the year 2025 and will take much more time to be heard and decided. Considering the short sentence awarded, I proceed to pass the following order :

ORDER

- I. Criminal Application stands allowed.
- II. The Substantive sentence imposed on the applicants in Criminal Appeal No. 34 of 2018 by learned Sessions Judge, Latur on 01.03.2025, stands suspended till the final hearing and disposal of Criminal Revision Application No. 100 of 2025.
- III. The applicants be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand only) each, with one solvent surety by each, in the like amount.
- IV. The applicants shall not commit any criminal activity.

- V. The applicants shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date they tender bail papers and thereafter, the trial Judge to fix dates for their subsequent appearances.
- VI. In case of two consecutive defaults on the part of the applicants 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 applicants.
- VII. Bail before the trial court.

[ABHAY S. WAGHWASE, J.]