



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1073 OF 2025
IN
CRIMINAL APPEAL NO. 199 OF 2025

Balu @ Naresh S/o. Shriram Marewad (Reddy),
Age : 30 years, Occu. : Labour,
R/o. Pala, Tq. Mukhed, Dist. Nanded. ... Applicant

Versus

The State of Maharashtra,
Through Police Inspector,
Mukhed Police Station, Dist. Nanded. ... Respondent

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Mr. Rohit Patwardhan h/f. Mr. Pawan Uttarwar, Advocate for Applicant.
Mr. S. P. Narwade, APP for Respondent – State.
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CORAM : ABHAY S. WAGHWASE, J.
DATED : 21st MARCH, 2025

PER COURT :

1. Not on board. Upon mentioning taken on board.
2. This is an application for suspension of sentence and grant of bail on account of conviction recorded by Additional Sessions Judge, Mukhed, Dist. Nanded in Sessions Case No.05 of 2023 by judgment and order dated 27.02.2025.
3. Learned counsel for applicant submitted that, applicant was tried before above court vide Sessions Case No. 5 of 2023. That, by judgment and order dated 27.02.2025, he is held

guilty for commission of offence under section 332 of IPC and maximum sentence awarded is of six months only and to pay fine. That, applicant was on bail during trial. He is taking exception to the said judgment and order of conviction by filing instant appeal. That, the appeal being of 2025 and there are no immediate prospects of hearing the same. Therefore, considering the quantum of sentence, learned counsel seeks suspension of sentence and grant of bail.

4. Learned APP opposes on the ground that, on full-fledge trial conviction has been recorded.

5. After considering the above submissions and on going through the papers, applicant was booked for commission of offence punishable under sections 353, 332 and 323 of IPC and on being charge-sheeted applicant was tried by learned Additional Sessions Judge, Mukhed, Dist. Nanded, who after accepting the case of prosecution convicted applicant. Fine imposed is already reported to be paid. 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 and there are no immediate prospects of matter being taken up in near future, 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 Balu @ Naresh S/o. Shriram marewad (Reddy) in Sessions Case No.05 of 2023 by learned Additional Sessions Judge, Mukhed, Dist. Nanded on 27.02.2025 stands suspended till the final hearing and disposal of Criminal Appeal No.199 of 2025.
- III. The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with two solvent sureties 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 tenders bail papers and thereafter, the trial Judge to fix dates for his subsequent appearances.
- 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, J.)