



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

**998 CRIMINAL APPLICATION NO. 1109 OF 2025
IN CRIMINAL APPEAL NO. 288 OF 2025**

1] Dipakkumar Hasmukh Patel
2] Akshaykumar Shaileshbhai Patel
3] Rajesh Kanjibhai Patel
4] Meghraj @ Mehul Amaratji Rajput

VERSUS

The State of Maharashtra

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Advocate for Applicant : Mr.M.A.Manav h/f. Mr.S.H.Jadhav
APP for Respondent-State : Mrs.V.N.Patil-Jadhav

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CORAM : ARUN R. PEDNEKER, J.

DATE : 02.07.2025

P.C. :

1] The present application has been filed by the applicants for suspension of substantive sentence imposed on them in Sessions Case No.04/2019, dated 24.09.2024, by the Additional Sessions Judge, Nandurbar. The applicants have been convicted thus :

i] The applicants–accused each, mentioned above shall suffer R.I. for 10 years and they each shall pay fine of Rs.10,000/- each, in default shall under go six months R.I. for the offence under Section 395 of IPC.

ii] The applicants–accused each, mentioned above shall suffer S.I. for one month and they each shall pay fine of Rs. 500/- each, in default shall under go fifteen days S.I.for offence under Section 341 r/w 34 IPC.

2] The learned counsel for the applicant submits that the applicant nos.1, 3 and 4 have already undergone imprisonment of 6 years and 10 months. The maximum sentence is awarded of 10 years. He further submits that the applicant no. 2 has undergone 4 years and 10 months and he was on bail during trial. The applicant no.2 is a kidney disease patient and he needs dialysis. He further submits that there are no criminal antecedents against the present applicants. He further submits that the Appeal may take substantial time to conclude.

3] Considering the period undergone and that the appeal may take substantial time to conclude, I pass the following order :

ORDER

i] Criminal Application is allowed.

ii] The substantive sentence imposed on them in Sessions Case No.04/2019, dated 24.09.2024, by the

Additional Sessions Judge, Nandurbar, stands suspended till the final hearing and disposal of Criminal Appeal.

iii] The applicants be released on bail on furnishing P.R. bond of Rs.20,000/- each, with one or two sureties in the like amount. Bail before the trial Court.

iv] Criminal Application is disposed of accordingly.

v] It is also clarified that the observations made in this order are limited only for the purpose of deciding the present Application.

[ARUN R. PEDNEKER]
JUDGE

DDC