



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

936 CRIMINAL APPLICATION NO. 1249 OF 2025  
WITH  
CRIMINAL REVISION APPLICATION NO. 119 OF 2025

MAJEDKHA AHMEDKHA PATHAN  
VERSUS  
THE STATE OF MAHARASHTRA

...  
Advocate for Applicant : Mr. Sayyed Tauseef Yaseen  
APP for Respondent/State : Ms. Neha B. Kamble  
...

CORAM : ARUN R. PEDNEKER, J.  
Dated : May 07, 2025

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for respondent/State.
2. Criminal Application No. 1249/2025 is filed for suspension of substantive sentence of six months imposed on the applicant by the courts below.
3. The learned counsel for the applicant submits that PW 1, who claims to be eye witness, has stated in his deposition that he would identify the accused, however, he has not identified the accused in the court. The learned counsel submits that accident has occurred on the State Highway and without bringing all the facts on record, it cannot be said that the vehicle was being driven negligently by the applicant. The learned counsel submits that there was delay in filing the FIR. The learned counsel submits that in the spot panchanama, vehicle was not shown on the spot of accident to show that the accident is alleged to have been taken place. The learned counsel submits that the injured witness has stated in his deposition that he

has not seen driver of the vehicle. The learned counsel submits that there is no evidence on record to indicate the rashness of driving at the instance of the applicant. The learned counsel submits that sentence imposed is of six months and the applicant has already undergone the sentence of 35 days.

4. Considering the above submissions, the case needs to be heard on merits. The revision petition may take much time to conclude. In view of the above, the sentence imposed on the applicant pursuant to the impugned judgments and orders of the courts below is suspended. The applicant shall be released on bail on such terms and conditions to the satisfaction of the Trial Court. The application filed for suspension of sentence is disposed of.

( ARUN R. PEDNEKER, J. )

ssc/