



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 CRIMINAL APPLICATION NO. 1449 OF 2025
IN APEALST/4059/2025

NARSING GOROBA CHAVAN
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
WITH
CRIMINAL APPLICATION NO. 1448 OF 2025
IN APEALST/4059/2025

...
WITH
CRIMINAL APPEAL STAMP NO.4059/2025

...
Advocate for Applicant : Mr. Sisodiya Ashutosh C
APP for Respondent/State: Mr. S. K. Shirse
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 16.07.2025

P.C. :

- 1] Heard.
- 2] Criminal Application No.1448 of 2025 for condonation of delay stands allowed.
- 3] Criminal Appeal Stamp No.4059 of 2025 stands **admitted**. Call R & P.
- 4] Criminal Application No.1449 of 2025 has been filed by the applicant for suspension of substantive sentence

imposed on him in Sessions Case NO.164/2022, dated 23.01.2025, by learned Additional Sessions Judge, Osmanabad. The applicant has been convicted thus:

“1. Accused Narsing Goroba Chavan is hereby convicted vide Sec. 235 (2) of Code of Criminal Procedure for the offences punishable U/Sec. 307 of IPC and thereby sentenced to undergo rigorous imprisonment for 10 (Ten) years and to pay a fine of Rs.50,000/- (Rs. Fifty thousand only) in default thereof, to further undergo one year simple imprisonment.

2. The accused Narsing Goroba Chavan is hereby convicted, as per section 235(2)of Code of Criminal Procedure for the offence punishable under Section Section 504 of the Indian Penal Code and sentenced to pay fine of Rs.2,500/- (Rupees Two Thous and Five Hundred). In default, shall further undergo simple imprisonment for 3 months.

3. The accused Narsing Goroba Chavan is hereby convicted, as per section 235(2)of Code of Criminal Procedure for the offence punishable under Section Section 506 of the Indian Penal Code and sentenced to pay fine of Rs.2,500/- (Rupees Two Thousand Five Hundred). In default he shall further undergo simple imprisonment for 3 months.

4. The sentences shall run concurrently.”

5] The maximum sentence is 10 years. The applicant is in custody for over 3 years. The incident is between the husband and wife and there are total 12 injuries. All are simple except two injuries which are grievous injuries cased due to beating by wooden stick.

6] Considering that the applicant is in jail for 3 years and that appeal would take substantial time to be heard finally, sentence can be suspended.

7] Considering the above, I pass the following order :

ORDER

i] Criminal Application is allowed.

ii] The substantive sentence imposed on the applicant in Sessions Case No.164/2022, dated 23.01.2025, by learned Additional Sessions Judge, Osmanabad, stands suspended till the final hearing and disposal of Criminal Appeal.

iii] The applicant be released on bail on furnishing P.R.bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial court.

iv] Bail before the trial Court.

**[ARUN R. PEDNEKER]
JUDGE**