



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

**CRIMINAL APPLICATION NO. 1486 OF 2025
IN
APPEAL (ST) NO. 4160 OF 2025**

Munja S/o Ashokrao Kamble
Age : 30 Years, Occ. Nil,
R/o Ekrukha, Tq. Basmath,
Dist. Hingoli.

.... Applicant

VERSUS

The State of Maharashtra

..... Respondent

.....
Ms. Awchar Shilpa L, Advocate for Applicant
Mr. C. V. Bhadane, APP for the Respondent - State
.....

CORAM : NEERAJ P. DHOTE, J.
DATE : 08.10.2025

PER COURT :

1. This is an Application for suspension of substantive sentence.
2. The Applicant is convicted by the learned Additional Sessions Judge, Basmathnagar, in Sessions Case No.30/2023, by the Judgment and Order dated 07/11/2024 as follows :-

“1. Accused Munja Ashokrao Kamble is convicted for the offences punishable under sections 354, 452 of the Indian Penal Code as per Section 235 (ii) of the Code of Criminal Procedure, 1973 and sentenced as under :

i) For offence under section 354 IPC, he is sentenced to suffer Rigorous Imprisonment for 5 years and to pay fine of Rs. 100/-; in default of payment of fine to suffer simple imprisonment for 15 days.

ii) For offence under section 452 IPC, he is sentenced to suffer Rigorous Imprisonment for 5 years and to pay fine of Rs.100/-; in default of payment of fine to suffer simple imprisonment for 15 days.

2. The sentences for offences under sections 354 IPC and 452 IPC shall run concurrently.

3. Accused was arrested on 04/10/2021 and till today he is in jail. Accused is granted set off under section 428 of The Code of Criminal Procedure, 1973, for the period from 04/10/2021 till today i.e. 07/11/2024.

4. Accused is acquitted for the offence under section 376(2) (j) (l) IPC.

5. Accused shall surrender his bail bonds.

6. All the Muddemal properties (GMP53/2023) that are clothes, be destroyed after appeal period is over.

7. Copy of this Judgment be provided to accused. Accused is informed about appeal provision available to him.”

3. Heard the learned Advocate for the Applicant and the learned APP for the Respondent – State.

4. The Applicant is convicted for the period of five [05] years of rigorous imprisonment for the offence punishable under Sections 354 and 452 of the Indian Penal Code, 1860. The Applicant is behind the bars for a period of four [04] years and four [04] days. The Applicant has paid the fine. The Appeal is admitted today after condoning the delay. The Appeal is not likely to be heard in the near future. Hence, the following order :

ORDER

[I] Criminal Application is allowed.

- [II] The substantive sentence imposed upon the Applicant, namely, Munja Ashokrao Kamble, by the learned Additional Sessions Judge, Basmathnagar, vide Judgment and Order dated 07/11/2024, passed in Sessions Case No.30/2023, is hereby suspended till the final disposal of the Appeal.
- [III] The Applicant be released on bail on furnishing P.R. bond of Rs.15,000/- [Rupees Fifteen Thousand] with one surety in the like amount.
- [IV] The Applicant shall not change the place of his residence without intimation to this Court and shall co-operate in the early disposal of the Appeal.
- [V] Bail before the Trial Court.
- [VI] Criminal Application stands disposed off accordingly.

[NEERAJ P. DHOTE, J.]

Sameer/October-2025