



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

**CRIMINAL APPLICATION NO. 1642 OF 2025
IN CRIMINAL APPEAL NO.321 OF 2025**

1. Eknath Baburao Walke
Age: 43 years, Occu.: Agri.

2. Govind Ashokrao Hatte
Age: 32 years, Occu.: Agri.

3. Sachin Pandhari Walke
Age: 39 years, Occu.: Agri.

All R/o. Walkewadi, Tq.Loha,
Dist.Nanded.

..Applicants

Versus

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

..Respondent

....

Advocate for Applicants : Mr.Arun S.Shejwal h/f. Mr.R.D.Biradar
APP for Respondent : Mr.VM.Chate

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 08 MAY, 2025

ORDER :

1. Issue notice to the respondent. Learned APP waives service of notice for respondent.

2. Instant application is for suspension of sentence and grant of bail on account of conviction recorded by learned Sessions Judge, Kandhar in Sessions Case No.93 of 2019 dated 08-04-2025 for offence under Sections 353 and 332 of the Indian Penal Code (IPC).

3. Learned counsel pointed out that applicants were tried vide above sessions case and vide judgment and order dated 08-04-2025 they have been held guilty for offence under Sections 353 and 332 of the IPC. He submitted that maximum sentence awarded is three months each. That, applicants were on bail during trial. That, fine amount is paid. That, appeal against the judgment of conviction being of 2025, it is his submission that it will take sufficiently long time to be heard and decided. Hence, relief of suspension of sentence and grant of bail is urged for.

4. Learned APP submits that on full-fledge trial, conviction has been recorded. He also apprehends misuse of liberty, if bail is granted.

5. Perused the papers. After considering the above submissions and on going through the impugned judgment, it appears that maximum sentence awarded is three months each. Taking into account the submissions made across the bar that applicants were on bail during trial and fine amount being deposited, and further appeal being of 2025, there are no prospects of hearing appeal in near future, hence relief as prayed deserves to be granted. Hence, following order :

ORDER

- (i) Criminal Application stands allowed.
- (ii) The substantive sentence imposed on the applicants
(a) Eknath Baburao Walke (b) Govind Ashokrao Hatte
(c) Sachin Pandhari Walke in Sessions Case No.93 of 2019
by the learned Sessions Judge, Kandhar on 08-04-2025,
stands suspended till the final hearing and disposal of
Criminal Appeal No.321 of 2025.
- (iii) The applicants be released on PR. Bond of
Rs.15,000/- (Rs. Fifteen thousand only) each with two
solvent sureties in the like amount each.
- (iv) The applicants shall not commit any criminal activity.
- (v) The applicants 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 their subsequent appearances.
- (vi) In case of two consecutive defaults on the part of the
applicants 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 the bail granted to the
applicants.
- (vii) Bail before the trial Court.

(**ABHAY S. WAGHWASE**)
JUDGE