



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

**1005 CRIMINAL APPLICATION NO. 2250 OF 2025  
IN APEAL/456/2025**

Kiran Dattatraya Gunjal  
VERSUS  
The State Of Maharashtra

...  
Advocate for Applicant : Mr. Bhide Vinod Y.  
APP for Respondents-State: Ms. Vaishali Patil jadhav

...  
**CORAM : ARUN R. PEDNEKER, J.**

**Dated : July 11, 2025.**

**PER COURT :-**

1. Present application has been filed by original accused for suspension of substantive sentence imposed on him in Sessions Case No.45/2015, dated 04/06/2025, by learned Additional Sessions Judge-1, Sangamner, District Ahmednagar. The applicant has been convicted thus ;

*" (1) The accused Kiran Dattatraya Gunjal is hereby acquitted of the offence punishable under sections 302 of the Indian Penal Code vide Section 235(1) Cr.PC.*

*(2) Vide section 235(2) of the Code of Criminal Procedure the accused Kiran Dattatraya Gunjal is convicted for the offence punishable under Section 323 and is sentenced to suffer simple imprisonment for the period of six months and shall also pay fine of Rs.3,000/- (Rupees Three Thousands only) and in default of payment of fine, the accused to suffer simple imprisonment for the period of one month....."*

2. Heard both sides.

3. The learned Counsel for the applicant submits that the applicant has been convicted and sentenced to undergo imprisonment for six months, out of which he has already undergone one month.

4. Taking into consideration the fact that, the sentence that has been

awarded is a small sentence, accused deserves to be enlarged on bail. Therefore, the substantive sentence deserves to be suspended till final hearing and disposal of the appeal subject to the condition that he shall deposit the fine amount before the Trial Court, if the same has not already been deposited, and on the following terms :

**ORDER**

- 1) The application stands allowed, subject to the condition that the applicant shall deposit the fine amount before the Trial Court, if the same has not already been deposited.
- 2) The sentence imposed on the applicant / appellant in Sessions Case No.45/2015, dated 04/06/2025, by learned Additional Sessions Judge-1, Sangamner, District Ahmednagar is hereby suspended till the final hearing and disposal of Criminal Appeal No.456/2025.
- 3) The applicant/ appellant be released on P.R. of Rs.30,000/- (in words rupees thirty thousand only) with two sureties of Rs.15,000/- each (in words rupees fifteen thousand only).
- 4) Applicant/ appellant shall not commit any criminal activity.
- 5) Bail before Trial Court.

( ARUN R. PEDNEKER, J. )

*vj gawade/-.*