



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

**941 CRIMINAL APPLICATION NO. 2498 OF 2025
IN APPEAL/497/2025**

Chetan Ravindra Kamble

VERSUS

The State Of Maharashtra

...

Advocate for Applicant : Mr. Pande Balraj Prakash

APP for Respondents-State: Mr. V. M. Jaware

...

CORAM : ARUN R. PEDNEKER, J.

Dated : July 23, 2025.

PER COURT :-

1. Heard both sides.
2. The present application has been filed by the original accused for suspension of the substantive sentence imposed on him in Sessions Case No.690/2023, by the learned Additional Sessions Judge, Aurangabad, vide judgment dated 17/05/2025. The applicant has been convicted as under :-

"1. The accused no.1 Chetan Ravindra Kamble is convicted for the offence punishable under Sections 304 Part-II of the Indian Penal Code vide Section 235(2) of the Code of Criminal Procedure.

2. The accused no.1 Chetan Ravindra Kamble is sentenced to suffer rigorous imprisonment for seven years and to pay a fine of Rs.5,000/- (Rs. Five Thousand only) in default to payment of fine, to suffer further simple imprisonment for six months in respect of the offence punishable under Section 304 Part-II of the Indian Penal Code....."

3. The learned Counsel for the applicant submits that the applicant has undergone incarceration for a period of 1 year, 11 months, and 6 days as of today. He, therefore, prays for suspension of the sentence imposed on the applicant during the pendency of the appeal.

4. The learned APP opposes the prayer for suspension of sentence, submitting that there are eye-witnesses to the incident and considering the gravity of the offence, the sentence should not be suspended. It is further

submitted that the applicant has been convicted for committing a grave offence and sentenced to undergo imprisonment for seven years.

5. Considering that the applicant has already undergone imprisonment for nearly two years and the sentence imposed is of seven years, this Court finds it appropriate to suspend the substantive sentence till the final hearing and disposal of the appeal, subject to the condition that the applicant deposits the fine amount before the Trial Court, if not already 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 substantive sentence imposed on the applicant/appellant in Sessions Case No. 690/2023, dated 17/05/2025, by the learned Additional Sessions Judge, Aurangabad, is hereby suspended till the final hearing and disposal of Criminal Appeal No. 497 of 2025.
- 3)** The applicant/appellant be released on execution of a Personal Bond of Rs.30,000/- (Rupees Thirty Thousand only) with two sureties of Rs.15,000/- (Rupees Fifteen Thousand only) each.
- 4)** The applicant/appellant shall not commit any criminal activity during the pendency of the appeal.
- 5)** Bail be furnished before the Trial Court.

(ARUN R. PEDNEKER, J.)

vj gawade/-.