



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

**931 CRIMINAL APPLICATION NO. 2812 OF 2025
IN APEALST/7762/2025**

Vyankat Raosaheb Ugale
VERSUS
The State Of Maharashtra

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Advocate for Applicant : Mr. Savant Vilas P, Through Legal Aid
APP for Respondents-State: Ms. Vaishali Patil Jadhav

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**CRIMINAL APPLICATION NO. 2811 OF 2025
IN APEALST/7762/2025**

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CORAM : ARUN R. PEDNEKER, J.
Dated : August 06, 2025.

PER COURT :-

1. Criminal Application No.2811 of 2025 is filed for condonation of delay of 18 days caused in filing the criminal appeal.
2. For the reasons stated in the application, the said application is allowed and disposed of.
3. In Criminal Application No.2812 of 2025, both sides are heard.
4. The present application is filed by the original accused for suspension of substantive sentence imposed on him in Sessions Case No.265/2022, by the learned Additional Sessions Judge, Beed, vide judgment and order dated 05/05/2025. The applicant has been convicted as under : -

"1) Accused Vyankat Raosaheb Ugale is convicted for the offence punishable under section 353 of the Indian Penal Code as per Section 258(2) of The Bharatiya Nagarik Suraksha Sanhita, 2023 and sentenced to suffer

Rigorous Imprisonment for 02 years and to pay fine of Rs.5,000/- (Rs.Five Thousand only) and in default of payment of fine to suffer further rigorous imprisonment for 3 months.

2) Accused Vyankat Raosaheb Ugale is convicted for the offence punishable under section 385 of the Indian Penal Code as per Section 258(2) of The Bharatiya Nagarik Suraksha Sanhita, 2023 and sentenced to suffer Rigorous Imprisonment for 02 years and to pay fine of Rs.5,000/- (Rs.Five Thousand only) and in default of payment of fine to suffer further rigorous imprisonment for 3 months.

3) Accused Vyankat Raosaheb Ugale is convicted for the offence punishable under section 506 of the Indian Penal Code as per Section 258(2) of The Bharatiya Nagarik Suraksha Sanhita, 2023 and sentenced to suffer Rigorous Imprisonment for 02 years and to pay fine of Rs.5,000/- (Rs.Five Thousand only) and in default of payment of fine to suffer further rigorous imprisonment for 3 months.

4) Accused Vyankat Raosaheb Ugale is acquitted of the offence punishable under section 504 of the Indian Penal Code as per section 258(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023....”

5. The learned Counsel for the applicant submits that the maximum sentence awarded is for a period of two years, and the applicant/appellant has already undergone incarceration for more than one year. Suspension of sentence is sought on that ground.

6. The learned APP has opposed the prayer for suspension of sentence.

7. In view of the submissions and considering the period of sentence already undergone, the substantive sentence imposed on the applicant/appellant deserves to be suspended till the final hearing and disposal of the appeal, subject to the condition that the fine amount shall be deposited 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 not already deposited.
- 2) The sentence imposed on the applicant/appellant in Sessions Case No.265/2022 is hereby suspended till the final hearing and disposal of Criminal Appeal (Stamp) No.7762 of 2025.
- 3) The applicant/appellant be released on P.R. 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/-.