



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

**1019 CRIMINAL APPLICATION NO. 3038 OF 2025
IN APEAL/593/2025**

**PRAVIN OMKAR PATIL
VERSUS
THE STATE OF MAHARASHTRA**

...
Mr. Mayure Pramod C., Advocate for Applicant
Mr. Anuradha S. Mantri, APP for Respondent/State

**AND
CRIMINAL APPEAL NO. 593 OF 2025**

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 22.08.2025

PER COURT :-

1. The applicant-accused has preferred appeal against the judgment and order of conviction passed by the Sessions Judge, Dhule district Dhule, dated 30.07.2025, in Sessions Case No.61 of 2017 and filed this application for suspension of sentence and for bail, till disposal of the appeal.

2. The learned advocate for the applicant pointed out that from the relevant documents, particularly the F.I.R., statements of witnesses, suicidal note and the impugned judgment, it is alleged that the applicant, who is the Police Patil of the village, instigated the deceased to commit suicide. It is further alleged that, prior to the incident, the victim was beaten and thereafter, he committed suicide along with four members of the same family.

3. The learned counsel for the applicant submitted that there is no evidence to establish that the applicant instigated the deceased and the other three individuals to commit suicide, as contemplated under Section 107 of the Indian Penal Code. In support of his submission, he relied upon the judgment in ***Prakash and Others Vs. The State of Maharashtra and Another, 2024 INSC 1020***. He further submitted that the applicant is 62 years old and has no criminal antecedents. Therefore, he prayed for suspension of sentence and for grant of bail to the applicant.

4. The learned APP for the State opposed the application and pointed out that a suicide note was recovered from one of the deceased. The learned APP also referred to the impugned judgment and the evidence of the minor daughter of one of the victims, who survived while attempting to commit suicide. It is submitted that the applicant is involved in a serious offence where four persons committed suicide, for which the applicant and other co-accused are held responsible. There is evidence on record suggesting that the applicant abetted the commission of suicide. The learned APP, therefore, prayed for rejection of the application.

5. I have perused the impugned judgment and the statements of the witnesses. It is undisputed that the applicant is the Police patil of the village and has roots in society. As per the medical documents from Shree Sai Samarath Hospital, the applicant is suffering from diabetes, hernia and

high blood pressure. Considering the ratio laid down in the case of *Prakash and Others* (Supra), and the peculiar facts of the present case, without entering into the merits of the case, it would be appropriate to allow the application by suspending the sentence. Hence the following order:

::ORDER::

- I The criminal application is allowed.
- II The sentence passed by the impugned judgment and order dated 30.07.2025 in Sessions Case No.61 of 2017 by the learned Sessions Judge, Dhule, district Dhule, is hereby suspended till the final decision of the appeal. In the meantime, the applicant-accused be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount.
- III The applicant shall not tamper with the prosecution evidence and shall not leave Jalgaon District until the disposal of the appeal.
- IV Bail before the Trial Court.

CRIMINAL APPEAL NO. 593 OF 2025

1. Admit.
2. Call R & P along with paper book.

[SANJAY A. DESHMUKH, J.]

HRJadhav