



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

CRIMINAL APPLICATION NO. 3365 OF 2025

SHIVLING MAROTRAO MUSTAPURE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr. Vaibhav U. Pawar
APP for Respondent No.1 : Mr. D. J. Patil
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 10-09-2025

PER COURT:-

1. Leave to amend. Amendment be carried out forthwith.
2. Heard the learned counsel for the applicant and the learned A.P.P. for respondent No.1.
3. The revision application is presented by the applicant raising challenge to the judgment and order rendered by the Additional Chief Judicial Magistrate, Parbhani, in Regular Criminal Case No.315 of 2006 and confirmed by the learned Additional Sessions Judge, Parbhani, in Criminal Appeal No.07 of 2017 has been admitted.
4. The criminal application is presented by the applicant seeking suspension of substantive sentence imposed upon him. Applicant was on bail and has not breached any of the conditions imposed by the Courts below. The sentence imposed upon the

applicant is short term. Therefore, the applicant deserves to be enlarged on bail by suspending the sentence during the pendency of the revision application. Hence, the following order -

ORDER

- (I) Criminal Application is allowed.
- (II) The substantive sentence imposed upon the applicant by the learned Additional Chief Judicial Magistrate, Parbhani and confirmed by the learned Additional Sessions Judge, Parbhani, is hereby suspended, subject to deposit of the fine amount imposed by the Court below.
- (III) Applicant be enlarged on bail on furnishing PR bond of Rs.25,000/- (Rs.Twenty Five Thousands Only) and one solvent surety in the like amount.
- (IV) Applicant shall mark his presence before the learned concerned Magistrate once in three month on the date assigned by the concerned Court.
- (V) The prosecution is at liberty to seek cancellation of bail in the event of breach of any of the conditions imposed above.
- (VI) Accordingly, the criminal application stands disposed of.

(SACHIN S. DESHMUKH, J.)