



3437.25crappln etc

(1)

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

**33 CRIMINAL APPLICATION NO. 3437 OF 2025
IN APEAL/668/2025**

SURESH RANJITRAO KHANDARE

VERSUS

THE STATE OF MAHARASHTRA

WITH

CRIMINAL APPEAL NO. 668 OF 2025

SURESH RANJITRAO KHANDARE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

.....

Mr S. T. Ghule, Advocate for Applicant/Appellant

Mr D. B. Bhange, APP for Respondents/State

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CORAM : SUSHIL M. GHODESWAR, J.

DATE : 08 SEPTEMBER 2025

P. C. :

Criminal Application No.3437/2025

1. Heard Mr Ghule, learned Advocate for the Applicant and the learned APP Mr Bhange appearing for the Respondent/State.

2. This is an application for suspension of substantive sentence awarded by the learned Additional Sessions Judge-1, Jalna, dated 26/08/2025 in Sessions Case No.273/2023 and release of the Applicant on bail.

(2)

3. The Applicant was convicted for offence punishable under Section 323 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for three months and to pay fine of Rs.1,000/-, in default of payment of fine, to suffer simple imprisonment of 15 days. He was also convicted for offence punishable under Section 506 Part I of the Indian Penal Code and sentenced to undergo rigorous imprisonment for six months and to pay fine of Rs.15,000/-, in default of payment of fine, to suffer simple imprisonment of one month.

4. Learned Advocate for the Applicant states that the learned Sessions Court has granted bail to the Applicant and he was on bail throughout Trial. The Applicant has paid all the fine amount. He further states that the Applicant has every hope of succeeding in appeal. Therefore, he prays for suspension of substantive sentence and grant of bail.

5. Learned APP strongly opposes the application.

6. Considering the quantum of sentence, nature of allegations and the fact that appeal having been filed in 2025 would take sufficiently long time to be heard and decided, the application is required to be granted. Hence, I pass the following order :-

(3)

ORDER

- (I) Criminal Application is allowed.
- (II) The substantive sentence awarded to the Applicant by the learned Additional Sessions Judge-1, Jalna in Sessions Case No.273/2023 hereby stands suspended till final hearing and disposal of Criminal Appeal.
- (III) The Applicant be released on bail on furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.
- (IV) The Applicant shall not engage in any criminal activity.
- (V) The Applicant shall remain present before the learned Trial Judge once in six months till final hearing and disposal of the appeal, commencing from the date he tenders bail papers and thereafter, the Trial Judge to fix dates for his subsequent appearances.
- (VI) In case of two consecutive defaults on the part of the Applicant to remain present before the Trial Court, the Trial Court to inform this Court about the same and in that eventuality, the prosecution would be at liberty to file an application for cancellation of the bail granted to the Applicant.

(4)

(VII) Bail before the Trial Court.

Criminal Appeal No.668/2025

7. Mr Ghule, learned Advocate appearing on behalf of the Appellant seeks permission to delete Respondent No.1.

8. Permission is granted. Necessary amendment be carried out within a period of one week.

9. Heard.

10. Appeal is **ADMITTED.**

11. Learned APP waives service of notice on behalf of Respondents/State.

12. Call Record and Proceedings.

[SUSHIL M. GHODESWAR, J.]

sjk