



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

**CRIMINAL APPLICATION NO.3781 OF 2025
IN
CRIMINAL APPEAL NO.734 OF 2025**

Vinod s/o Mohan Murkute,
Age: 34 years, Occu: Agriculture,
R/o. Murkute wasti, Koregaon,
Tal. Karjat, Dist. Ahmednagar.

.... Applicant

Versus

The State of Maharashtra

.... Respondent

.....
Mr. Dhanjraj S. Ingole, Advocate for the Applicant
Mr. N. D. Batule, APP for the Respondent - State

.....

CORAM : NEERAJ P. DHOTE, J.

DATE : 03.10.2025

PER COURT :

1. This is an Application for suspension of sentence imposed by the learned Additional Sessions Judge, Shrigonda, in Sessions Case No.78/2023 by the Judgment and Order dated 01/10/2025, by which, the Applicant is convicted as follows :

“1] Accused No.(1) Vinod Mohan Murkute, is convicted vide Section 258(2) of the Bhartiya Nagari Suraksha Sanhita 2023, for offence punishable under section 324 of the Indian Penal Code and sentenced to suffer simple imprisonment for three years and to pay fine of Rs.5,000/- (Rs.Five thousand only). In default of payment of fine, he shall undergo simple imprisonment for six months.

2] Accused No.(1) Vinod Mohan Murkute, is convicted vide Section 258(2) of the Bhartiya Nagari Suraksha Sanhita 2023, for offence punishable under section 27(1) read with Section 5 of the

Arms Act, 1959 and sentenced to suffer simple imprisonment for three years and to pay fine of Rs.5,000/- (Rs. Five thousand only). In default of payment of fine, he shall undergo simple imprisonment for six months.

3] *Both the substantive sentences awarded to accused No.1 shall run concurrently.*

4]

5]

6]

7]

8]

9]

10]

11]

12]

13]”

2. Heard the learned Advocate for the Applicant and the learned APP for the Respondent – State.

3. From the Judgment, it is seen that, the Applicant is behind the bars for a period of 2 years 6 months and 22 days as on the date of Judgment. The sentence awarded is of three [03] years. The Appeal is not likely to be heard in near future. The Applicant has raised several grounds in the Appeal Memo. Considering these aspects, particularly, the Applicant has undergone more than 75% of the term sentence, I am inclined to pass the following order :

ORDER

[I] Criminal Application is allowed.

- [II] The substantive sentence imposed upon the Applicant, namely, Vinod s/o Mohan Murkute, by the learned Additional Sessions Judge, Shrigonda, in Sessions Case No.78/2023 by the Judgment and Order dated 01/10/2025, is hereby suspended till the final disposal of the Appeal.
- [III] The Applicant be released on bail on furnishing P.R. bond of Rs.15,000/- [Rupees Fifteen Thousand] with one surety in the like amount.
- [IV] The Applicant shall co-operate in early disposal of the Appeal.
- [V] The Applicant has paid the fine amount.
- [VI] Bail before the Trial Court.
- [VII] Criminal Application stands disposed off accordingly.

[NEERAJ P. DHOTE, J.]

Sameer/September-2025