



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

**CRIMINAL APPLICATION NO. 4574 OF 2025
IN CRIMINAL REVISION APPLICATION NO.381 OF 2025**

RAJU NAMDEV SURADKAR

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr.Arvind G.Jadhav

APP for Respondent : Mr.S.A.Gaikwad

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 02 DECEMBER, 2025

PER COURT :-

1. Not on board. Taken on board.
2. This is an application for suspension of sentence on account of conviction recorded by the learned Judicial Magistrate First Class (Court No.20), Aurangabad in RCC No.3034 of 2016, for offence under Sections 279, 304-A of the Indian Penal Code (IPC) and under Section 134/187 of the Motor Vehicles Act (MV Act).
3. Learned trial Court seems to have sentenced applicant to suffer rigorous imprisonment for one year for offence under Section 304-A of the IPC and to suffer rigorous imprisonment for three months and two months for offence under Sections 279 of the IPC and under

Section 134/187 of the MV Act respectively and to pay fine.

The said judgment, on being taken exception to before the learned Additional Sessions Judge, Aurangabad, vide Criminal Appeal No.173 of 2017, seems to have been confirmed by dismissing the appeal, against which present revision seems to have been preferred.

4. Heard.

5. Learned counsel for the applicant would submit that applicant was on bail during trial as well as during appeal period. However, after rejection of the appeal, applicant came to be taken in custody on 21-11-2025 and he is behind bars. That, before this Court, by virtue of Criminal Revision Application No.381 of 2025, exception has been taken to the judgments of both, learned trial Court as well as learned First Appellate Court and as the same would take more time to be heard and decided, he urges for suspension of sentence.

6. Learned APP strongly opposed application on the ground that, after complete appreciation of evidence, initially learned trial Court convicted applicant and even learned First Appellate Court confirmed the findings and conclusion reached at by the learned trial Court.

Therefore, he opposes relief of suspension of sentence.

7. After considering the above submissions, it seems that the learned trial Court convicted applicant for offence under Sections 279, 304-A of the IPC and under Section 134/187 of the MV Act, and sentenced to suffer rigorous imprisonment for three months, one year and two months respectively and to pay fine. The learned First Appellate Court seems to have dismissed the appeal.

8. Statement is made across the bar that applicant was on bail during the trial as well as during appeal period. Revision is of 2025 and will definitely take much more time to be heard and decided. Therefore, case for suspension of sentence is made out. Accordingly. I proceed to pass following order :

ORDER

- (i) Criminal Application No.4574 of 2025 is allowed.
- (ii) The sentence imposed on the applicant Raju Namdev Suradkar by the learned Judicial Magistrate First Class (Court No.20), Aurangabad, in RCC No.3034 of 2016 on 18-09-2017 and confirmed by learned Additional Sessions Judge, Aurangabad on 21-11-2025, stands suspended till final hearing and disposal of Criminal Revision Application No.381 of 2025.

- (iii) The applicant Raju Namdev Suradkar be released on P.R. Bond of Rs.15,000/- (Rs. Fifteen thousand only) with one solvent surety in the like amount.
- (iv) Bail before the trial Court.

(ABHAY S. WAGHWASE)
JUDGE

SPT