



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.4662 OF 2025
IN
CRIMINAL REVISION APPLICATION NO. 389 OF 2025

Ganesh Subhash Chavan,
Age : 38 years, Occu. : Labour,
R/o. Chavanwadi, Tq. Tuljapur,
Dist. Osmanabad.

... Applicant

Versus

1. The State of Maharashtra,
Through its Principal Secretary,
Home Department Mantralaya,
Mumbai.
2. Superintendent of Police,
Through P. S. Naldurg Police Station,
Tq. Tuljapur, Dist. Osmanabad.
3. Swati Ganesh Chavan,
Age : 30 years, Occu. : Household,
R/o.Chavanwadi, Tq. Tuljapur,
Dist. Osmanabad

... Respondent.

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Mr. S. S. Dudhane, Advocate for Applicant.
Mr. S. A. Gaikwad, APP for Respondent Nos.1 and 2 - State.

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 10 DECEMBER 2025

PRONOUNCED ON : 11 DECEMBER 2025

ORDER :

1. Instant application is for suspension of sentence and grant of bail as a result of conviction awarded by learned Judicial Magistrate First Class, Tuljapur, Dist. Dharashiv in R.C.C. No. 78 of

2018 and it being further confirmed by learned Additional Sessions Judge, Osmanabad in Criminal Appeal No. 24 of 2024.

2. It is pointed out that, applicant was tried vide R.C.C. No.78 of 2018 for commission of offence punishable under sections 498-A, 323, 504, 506 read with section 34 of IPC. He further submitted that, by judgment and order dated 01.08.2024 he came to be convicted against which Criminal Appeal No.24 of 2024 was preferred before learned Additional Sessions Judge, Osmanabad. However, the same is also dismissed by judgment and order dated 03.12.2025.

3. Learned trial court had awarded sentence of one year. On court query, learned counsel makes a statement that during trial, in trial court as well as in first appellate court, applicant was on bail. Learned counsel submits that, considering the quantum of sentence to be meager, in view of settled law, he is entitled for relief so prayed.

4. Learned APP opposed the application and submit that there is no merit in the application and he prayed to dismiss the application.

5. Heard. Fine amount is already deposited. Applicant was on bail during trial. As revision is of 2025 and admittedly it will take long time to be heard and decided, the relief as prayed deserves to be granted. Hence, I proceed to pass the following order :

ORDER

- I. Criminal Application stands allowed.
- II. The substantive sentence imposed on the applicant Ganesh Subhash Chavan in R.C.C. No.78 of 2018 by the learned J.M.F.C., Tuljapur, on 01.08.2024, which is confirmed by learned Additional Sessions Judge, Osmanabad by order dated 03.12.2025 in Criminal Appeal No.24 of 2024, stands suspended till the final hearing and disposal of Criminal Revision Application No. 389 of 2025.
- III. The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one solvent surety in the like amount.
- IV. The applicant shall not commit 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 bail granted to the applicant.
- VII. Bail before the trial court.

(ABHAY S. WAGHWASE, J.)