



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4673 OF 2025  
IN  
CRIMINAL REVISION APPLICATION NO. 392 OF 2025

Bharat S/o. Subhash Harbak,  
Age : 33 years, Occu. : Private Job,  
R/o. Chapadgaon, Tq. Ghansangvi,  
Dist. Jalna.

... Applicant  
(Orig. Accused/Appellant)

Versus

The State of Maharashtra,  
Through Police Station In-charge,  
Beed Rural Police Station,  
Tq. & Dist. Beed.

... Respondent

.....  
Mr. Kishor Govrdhan Gaikwad, Advocate for Applicant.  
Mr. S. A. Gaikwad, APP for Respondent – State.  
.....

**CORAM : ABHAY S. WAGHWASE, J.**

**DATED : 10 DECEMBER 2025**

**PER COURT :**

Not on board. Upon mentioning taken on board.

1. This is an application for suspension of sentence and grant of bail on account of conviction recorded by learned J.M.F.C., (Court No.8), Beed, convicting applicant for offence punishable under sections 279 and 338 of Indian Penal Code and under section 192 of Motor Vehicles Act and sentencing him to suffer simple imprisonment for 5 months and 6 months for each of the offence and to pay fine also.

The said judgment and order of learned J.M.F.C. assailed before the learned Additional Sessions Judge, Beed, however, the same came to be dismissed confirming the order of trial court.

2. It is pointed out that, applicant was tried before the learned J.M.F.C., Beed for above offence and was held guilty for above offences. The said order was challenged before the Sessions Court, Beed vide Criminal Appeal No.48 of 2020, but the same came to be dismissed by order dated 09.12.2025, against which revision is preferred, however, according to learned counsel, revision would take long time to be heard and decided. Moreover, applicant was on bail during trial as well as before the first appellate court and till conclusion of revision, he urges to suspend the sentence and grant of bail.

3. Learned APP opposed on the ground that there are concurrent findings recorded by the learned trial court as well as first appellate court and hence he prays to reject the application.

4. Heard. Perused the papers. It seems that, revision has been preferred getting dissatisfied by the order of learned J.M.F.C., Beed, which came to be confirmed by learned first appellate court by order dated 09.12.2025. Apparently, conviction is for 05 months and 06

months, for the offence punishable under sections 279 and 338 of IPC. Statement is made across the bar that during both, in trial court as well as in first appellate court, applicant was on bail. He also submit that, fine is already deposited. As revision would take sufficiently long to be heard and decided, prayers so raised are required to be allowed. Hence, the following order is passed :-

### **ORDER**

- I. Criminal Application stands allowed.
- II. The substantive sentence imposed on the applicant Bharat S/o. Subhash Harbak in S.C.C. No.400 of 2013 by the learned J.M.F.C., Beed, on 19.10.2020, which is confirmed by learned Additional Sessions Judge, Beed by order dated 09.12.2025 in Criminal Appeal No.48 of 2020, stands suspended till the final hearing and disposal of Criminal Revision Application No. 392 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.)**