IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CRIMINAL APPEAL NO.377 OF 2025

Shri. Chandrashekhar s/o Rohidas Dusane & Ors.
Versus
The State of Maharashtra

WITH
CRIMINAL APPLICATION NO.1867 OF 2025

...

Mr. Yogesh B. Bolkar, Advocate for appellants/applicants.
Mr. R. K. Ingole, APP for Respondent/State.

...

CORAM : ROHIT W. JOSHI, J.
(VACATION COURT)
DATE : 29th MAY, 2025

P.C.:

CRIMINAL APPEAL NO.377 OF 2025 :

1. Admit.

2. Call Record and Proceedings.

3. The learned APP waives service of notice for sole-respondent.

CRIMINAL APPLICATION NO.1867 OF 2025:

4. This is an application seeking suspension of substantive sentence and for releasing the applicants/appellants on bail.

5. The applicants have been convicted for the offence punishable under Sections 143, 341, 353 r/w 149 of the Indian Penal Code vide

judgment and order dated 09.5.2025 passed by the learned Additional Sessions Judge, Dhule in Sessions case No.193 of 2019. The applicants are directed to suffer rigorous imprisonment of one month for the offences punishable under Section 143 read with Section 149 of the Indian Penal Code, simple imprisonment for 15 days for the offence punishable under Section 341 read with Section 149 of the Indian Penal Code and one year rigorous imprisonment for the offence punishable under Section 353 read with Section 149 of the IPC. All the sentences are directed to run concurrently. The amount of fine is deposited by the appellants.

6. It is informed that the learned Sessions Judge has suspended the sentence for the period of limitation for filing the present Appeal. It is also informed that while the applicants were on bail pending the criminal prosecution they have not committed breach of any of the bail conditions.

7. Having regard to the pendency of Appeals it is not likely that the Appeal will be heard on merits in near future. Having regard to the punishment imposed coupled with the fact that the appellants were enlarged on bail while the criminal case was pending. It will be appropriate in the interest of justice to suspend the substantive sentence and release the applicants on bail pending the final disposal of

the Appeal. Hence, the following order:

ORDER

(i) Criminal application stands allowed.

(ii) The substantive sentence imposed on the applicants in Sessions Case No. 193/2019 passed by the learned Additional Sessions Judge, Dhule stands suspended till the final hearing and disposal of Criminal Appeal No.1867 of 2025.

(iii) Applicants be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) each with two solvent sureties in the like amount.

(iv) Applicants shall not commit any criminal activity.

(v) Applicants shall remain present before the learned Trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date they tender bail papers and thereafter, the trial Judge to fix dates for their subsequent appearances.

(vi) In case of two consecutive defaults on the part of the applicants 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 applicants.

(vii) Bail before the Trial Court.

[ROHIT W. JOSHI]
JUDGE

Narwade/