

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

**INTERIM APPLICATION NO. 386 OF 2025**

**IN**

**CRIMINAL APPEAL NO. 490 OF 2021**

- |                      |                           |   |                           |
|----------------------|---------------------------|---|---------------------------|
| 1.                   | Dada Digambar Lendve &    | ] |                           |
| 2.                   | Madhukar Digambar Lendve  | ] | ... Applicants/Appellants |
| <b><u>Versus</u></b> |                           |   |                           |
| 1.                   | The State of Maharashtra  | ] |                           |
| 2.                   | Navnath Tukaram Lendve    | ] |                           |
| 3.                   | Samadhan Dharmaraj Lendve | ] | ... Respondents           |

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*Mr. Sachin M. Bhavar i/b. Mr. Sachin Pawar for the Applicants/  
Appellants.*

*Mr. Pankaj Deokar, A.P.P. for the Respondent No.1-State.*

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**Coram :** M. S. Karnik &  
Ajit B. Kadethankar, JJ.

**Date :** 18<sup>th</sup> November 2025.

**P. C. :**

1. Heard Mr. Bhavar, learned counsel for the Applicants and Mr. Deokar, learned A.P.P. for the Respondent No.1-State.
2. Mr. Deokar, learned A.P.P. opposed the application for bail and suspension of sentence. He submits that considering the findings recorded by the trial Court, to which our attention is invited, it would be

appropriate, if the Appeal itself is heard finally. However, in view of the pendency of old criminal Appeals, it may not be possible for us to immediately hear the Appeal finally.

**3.** The Applicant No.1 - Dada Digambar Lendve is original accused No.1 and the Applicant No.2 – Madhukar Digambar Lendve is the original accused No.2. The date of the incidence is 4<sup>th</sup> June 2012. The offence is under Sections 302, 307, 323, 504, 506 read with 34 of the Indian Penal Code. C.R. No. 95 of 2012 was registered with the Mangalvedha Police Station against the Applicants/accused for having committed the murder of victim. The trial Court found that the Applicant No.1 assaulted the victim with a knife. The Applicant No.2 assaulted the victim with stones wrapped in towel.

**4.** The injuries on the person of the deceased are :

- (a) Stab injury 5 x 2 x 3 cm on the upper part of left side of chest above the left nipple.
- (b) Incised wound 3 x 1 x 04 cm on the middle of the anterior aspect of the left leg.
- (c) Incised wound 3 x 1 x 05 cm on the middle part of the anterior aspect of the right leg.

**5.** The cause of death is due to haemorrhagic shock due to stab injury. By the Judgment and Order dated 30<sup>th</sup> April 2021 the Additional Sessions Judge, Pandharpur convicted the accused and sentenced them to suffer

imprisonment for life.

**6.** The Applicant No.2 (accused No.2) was on bail during trial. The accused No.2 has suffered more than 5 years in custody. So far as the accused No.2 is concerned, the role attributed to him is of assault by stones wrapped in towel. The cause of death is due to stab injury and incised wounds attributed to the accused No.1. We are therefore inclined to suspend the sentence of the accused No.2 - Madhukar Digambar Lendve during the pendency of the Appeal.

**7.** So far as the Applicant No.1 (accused No.1) is concerned, he is in custody since the date of his arrest on 7<sup>th</sup> June 2012. The Applicant No.1 is now in custody for more than 13 years. In such circumstances, we are inclined to suspend the sentence of accused No.1 as well and release him on bail.

**8.** Hence, the following order :

1. The sentence imposed by the trial Court on the Applicants vide Judgment and Order dated 30<sup>th</sup> April 2021 passed by the Additional Sessions Judge, Pandharpur in Sessions Case No. 57 of 2012 is suspended.
2. The Applicant No.1 - Dada Digambar Lendve and Applicant No.2 - Madhukar Digambar Lendve, be released on bail on their furnishing P.R. bond in the sum of Rs.25,000/- each, with one or more sureties in the like amount.

3. The Applicants shall report once in three months to the trial Court on every first Monday of the month commencing December 2025.
  4. The Applicants shall furnish their residential address and contact details.
  5. The Applicants shall attend this Court when the Appeal is fixed for final hearing.
  6. If fine amount is not paid, the same shall be paid before the release of the Applicants on bail, unless exempted.
9. Interim Application is disposed of in aforesaid terms.

[ Ajit B. Kadethankar, J. ]

[ M. S. Karnik, J. ]

OMKAR  
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