

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 533 OF 2024
WITH
INTERIM APPLICATION NO. 538 OF 2024
IN
CRIMINAL APPEAL NO. 1012 OF 2024

Iranna Sattu Shinde ...Applicant
Versus
State of Maharashtra And Anr. ...Respondent

.....
Mr. Pavan Mali, Advocate for the Applicant.
None for the Respondent No.2.
Dr. A. A. Takalkar, APP for the Respondent-State.

.....
CORAM : SHIVKUMAR DIGE, J.
DATE : 23rd DECEMBER, 2025

P.C.

1. By these Applications the applicant is seeking suspension of sentence and grant of bail.
2. It is contention of learned counsel for the Applicant that applicant is convicted by learned Additional Sessions Judge, Solapur in Sessions Case No.183 of 2018 vide order dated 31.03.2022 for the offence punishable under Section 376(D) of Indian Penal Code and sentenced to suffer rigorous imprisonment for twenty years and to pay fine of Rs.2,000/-, in default of payment of fine, to suffer further

simple imprisonment for six months. He also convicted under Section 394 r/w section 34 of Indian Penal Code and sentenced to suffer rigorous imprisonment for Seven years and to pay fine of Rs.1,000/-, in default of payment of fine, to suffer further simple imprisonment for three months. He also convicted under Section 341 r/w section 34 of Indian Penal Code and sentenced to suffer simple imprisonment for one month and to pay fine of Rs.500/-, in default of payment of fine, to suffer further simple imprisonment for five days. He also convicted under Section 323 r/w section 34 of Indian Penal Code and sentenced to suffer simple imprisonment for six months and to pay fine of Rs.500/-, in default of payment of fine, to suffer further simple imprisonment for one months. Learned counsel further submitted that co-accused Irfan Sattar Shaikh having similar allegations has been released on bail by this Court (Coram : Bharati Dangre, J.) vide order dated 30th March, 2023 and sentence of the co-accused having similar role is suspended, hence requested to allow these applications.

3. Learned APP objected to allow the application on the ground that the role attributed to the co-accused is different. If applicant released on bail, he may abscond and requested to reject these applications.

4. I have heard both learned counsel, perused the impugned Judgment and order. The applicant is behind bar for almost 8 years out of 20 years. The applicant has undergone substantial period of imprisonment. The co-accused Irfan Sattar Shaikh, having similar allegations, his sentence is suspended by this Court. Considering these facts, I pass following order :

ORDER

- (i) The Applications are allowed;
 - (ii) The substantive sentence of imprisonment awarded to the applicant by the learned Additional Sessions Judge, Solapur in Sessions Case No.183 of 2018 vide order dated 31.03.2022 is hereby suspended pending disposal of appeal.
 - (iii) The applicant be enlarged on bail on furnishing PR bond in the sum of Rs.15,000/- with one or two sureties in the like amount.
 - (iv) The bail bonds to be furnished before the learned Additional Sessions Judge, Solapur.
5. The applications are allowed in the aforesaid terms and is accordingly disposed off.
6. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)