

Nikita

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

CRIMINAL APPELLATE JURISDICTION

**INTERIM APPLICATION NO.719 OF 2025
IN
CRIMINAL APPEAL NO.178 OF 2025**

Pankaj Dilip Kamble	...Applicant
versus	
The State of Maharashtra	...Respondents

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Ms. Harsha K. i/b S. C. Mangle for the Appellant.
Mr. A. A. Naik, APP for the State.

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**CORAM : M.S. KARNIK &
SHARMILA U. DESHMUKH, JJ.**

DATE : 18th SEPTEMBER, 2025.

P.C:

1. We are not inclined to entertain the application for suspension of sentence at this juncture. The Applicant is in custody for almost six years. The Applicant has been convicted by the order of the Trial Court on 10th January, 2024. The Trial Court has based the conviction on the basis of testimony of three eye witnesses.

2. Learned Counsel for the Applicant made an endeavor to submit that the defense has brought on record the necessary evidence that these three eye witnesses were not present at the spot and are got up witnesses. However, these are matters which are in the realm of the appreciation of evidence when the appeal is heard finally.

3. It is not possible for us to suspend the sentence at this juncture.
4. Learned Counsel for the Applicant stated that the notes of evidence is already placed on record.
5. The Interim Application is rejected.

[SHARMILA U. DESHMUKH, J.]

[M.S. KARNIK, J.]