

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE SIDE JURISDICTION**  
**INTERIM APPLICATION NO. 1101 OF 2025**  
**IN**  
**CRIMINAL APPEAL NO. 278 OF 2025**

Dharmaraj Mallappa Gunjale and Ors. .... Applicants

**Versus**

The State of Maharashtra .... Respondent

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Mr. Vikrant V. Phatate, for the Applicants.

Ms. Poonam P. Bhosale, APP, for the Respondent – State.

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**CORAM : SHIVKUMAR DIGE, J.**

**DATE : 18<sup>th</sup> MARCH, 2025.**

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**P.C. :**

1. This is an application for suspension of sentence and bail.
2. Heard learned counsel for the Applicant and learned APP for the State.
3. The Applicant Nos.1 to 6 have been convicted by the learned Sessions Judge, Solapur, for the offences punishable under Sections 324 read with Section 149 of the Indian Penal Code and Section 235(2) of the Code of Criminal Procedure and sentenced to undergo rigorous imprisonment for three months and pay fine of Rs.1,000/- each. The Applicant Nos.1 to 6 have been convicted for the offence punishable under Section 143 read with Section 149 of

the Indian Penal Code vide Section 235(2) of the Code of Criminal Procedure and sentenced to undergo rigorous imprisonment for one month and pay fine of Rs.500/- each. The Applicant Nos.1 to 6 have been convicted for the offence punishable under Section 147 read with Section 149 of the Indian Penal Code vide Section 235(2) of the Code of Criminal Procedure and sentenced to undergo rigorous imprisonment for two months and pay fine of Rs.1000/- each. The learned Sessions Judge, Solapur has suspended the sentence during the appeal period and has granted interim bail to the Applicant Nos.1 to 6.

4. It is contention of learned counsel for the Applicant that the trial Court has granted bail and suspended his sentence during the appeal period. During the trial, the Applicant was on bail and he has not misused the liberty. Hence, requested to allow the application.

5. The learned APP for the Respondent – State strongly objected to allow the application.

6. I have heard both learned counsel.

7. The sentence imposed on the Applicant Nos.1 to 6 are short terms sentence. During trial, the Applicant Nos.1 to 6 were on

bail. They have not misused the liberty. It may take time to dispose of the appeal.

8. In view of the above, the Applicant Nos.1 to 6 sentence are suspended and they enlarged on bail, pending the hearing and final disposal of the appeal, on the following terms and conditions.

**ORDER**

- i. The substantive sentence imposed on the Applicant Nos.1 to 6 in Sessions Case No.9 of 2022 is suspended, in terms of order dated 24<sup>th</sup> January, 2025 passed by the learned Sessions Judge, Solapur, till final disposal of the Appeal.
  - ii. The Applicant Nos.1 to 6 be enlarged on bail on furnishing P.R. Bond in the sum of Rs.50,000/- each with one or two sureties in the like amount.
  - iii. The bail bond to be furnished before the trial Court.
- . Criminal Interim Application stands disposed of.

9. All concerned to act on the authenticated copy of this order.

( SHIVKUMAR DIGE, J.)