

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION

INTERIM APPLICATION NO. 1826 OF 2025
IN
CRIMINAL APPEAL (ST) NO. 10484 OF 2025

Sachin Bhikaji Raikar And Ors.

.... Applicants

Versus

The State of Maharashtra

.... Respondent

Mr. Mohit P. Dalvi, Advocate for the Applicants.
Mr. P. P. Deokar, APP, for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 9th MAY, 2025.

P.C. :

1. This is an application for suspension of sentence and bail.
2. Heard learned counsel for the Applicants and learned APP for the State.
3. The Applicants have been convicted by the learned Additional Sessions Judge, Ratnagiri, for the offence punishable under Section 235(2) of the Code of Criminal Procedure, 1973, for committing offence punishable under Section 353 of the Indian Penal Code, 1860, and are sentenced to suffer Rigorous Imprisonment for two

years and pay fine of Rs.1000/- each. The Applicants have been convicted for the offence punishable under Section 235(2) of the Code of Criminal Procedure, 1973, for committing offence punishable under Section 341 of the Indian Penal Code, 1860, and are sentenced to suffer Rigorous Imprisonment for one month and pay fine of Rs.200/- each.

The Applicants have been convicted for the offence punishable under Section 235(2) of the Code of Criminal Procedure, 1973, for committing offence punishable under Section 332 of the Indian Penal Code, 1860, and are sentenced to suffer Rigorous Imprisonment for two years and pay fine of Rs.1000/- each. The Applicants have been convicted for the offence punishable under Section 235(2) of the Code of Criminal Procedure, 1973, for committing offence punishable under Section 323 of the Indian Penal Code, 1860, and are sentenced to suffer Rigorous Imprisonment for six months and pay fine of Rs.500/- each.

The Applicants have been convicted for the offence punishable under Section 235(2) of the Code of Criminal Procedure, 1973, for committing offence punishable under Section 504 of the Indian Penal Code, 1860, and are sentenced to suffer Rigorous Imprisonment for one year and pay fine of Rs.500/- each. The learned Additional Sessions Judge, Ratnagiri, has suspended the sentence during the appeal period

and has granted interim bail to the Applicants.

4. It is contention of learned counsel for the Applicants that the trial Court has granted bail and suspended their sentence during the appeal period. During the trial, the Applicants were on bail and have not misused 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 Applicants is maximum two years sentence. The trial Court has granted bail to the Applicants and suspended their sentence during the appeal period. During the trial, the Applicants were on bail and have not misused liberty. It may take time to dispose of the appeal.

8. In view of the above, the Applicants' sentence are suspended and they are 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 Applicants in Sessions Case No.4/2021, in terms of order dated 24th February, 2025 passed by the learned Additional

Session Judge, Ratnagiri, till final disposal of the appeal.

ii. The Applicants 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.)