

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

INTERIM APPLICATION NO. 2544 OF 2025
IN
CRIMINAL APPEAL NO. 993 OF 2023

Dhananjay Sambhaji Mane ...Applicant
Vs.
The State of Maharashtra and Anr. ...Respondents

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Mr. Priyal G. Sarda a/w Mr. Onkar Bajaj, advocate for the Applicant.
Ms. Padmashri Rote, Advocate for Respondent no.2 appointed
through Legal Aid panel.
Mr. A. S. Shalgaonkar APP for the State.

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CORAM : SHIVKUMAR DIGE, J.
DATE : 24th NOVEMBER 2025

P.C.

1. By this Application, the applicant is seeking suspension of sentence and grant of bail.
2. It is contention of learned counsel for applicant that the applicant has been convicted by Additional Sessions Judge, Solapur under Section 307 of the Indian Penal Code (for short "IPC") and sentenced to suffer rigorous imprisonment for 10 years and to pay fine of Rs.2,000/- in default to undergo further simple imprisonment for two months. Learned counsel further submits that the applicant is

also convicted under Section 504 of IPC and sentenced to suffer rigorous imprisonment for two months and to pay fine of Rs.500/-, in default to undergo further simple imprisonment for 15 days. The application is also convicted under Section 506 of IPC and sentenced to suffer rigorous imprisonment for six months and to pay fine of Rs.500/-, in default to undergo further simple imprisonment for 15 days. The applicant was directed to pay Rs.75,000/- compensation to the injured Sanjay Sambhaji Mane, in default to undergo simple imprisonment for six months.

3. It is contention of learned counsel for the applicant that the applicant is behind bar for more than three years and eight months. During trial the applicant was on bail. The applicant has undergone substantial sentence. The victim has stated that there were three blows inflicted by the applicant, whereas Doctor has stated that there were two blows on the body of the victim but this fact is not considered by the learned trial Court. The case would not fall under Section 307 of IPC. Learned counsel on instructions submits that the applicant would deposit Rs.75,000/- before the trial Court within two weeks.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that the applicant brutally assaulted the victim

with knife in his stomach with intention to kill him. There was property dispute between the applicant and husband of first informant. If applicant released on bail, he may abscond. Hence, requested to reject the application.

5. I have heard both the learned counsels, perused the impugned judgment and order. It is prosecutions case that the applicant had inflicted three injuries on the body part of the injured. The doctor, who has examined the injured has stated that two injuries found on the body of the injured person. The applicant has undergone more than three years and eight months out 10 years sentence. During trial, the applicant was on bail. It may take time to dispose off the appeal. The applicant has no antecedents. Considering these facts, I pass the following order:

ORDER

- (i) The Application is allowed;
- (ii) The substantive sentence of imprisonment awarded to the applicant by the learned Additional Sessions Judge Solapur in Sessions Case No.43 of 2022 vide order dated 14/06/2023 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.
 - (v) The applicant shall deposit Rs.75,000/- before the trial Court within two weeks from today which is payable to the injured.
 - (vi) The applicant shall not contact the first informant, injured and his family members.
6. The application is allowed in the aforesaid terms and is accordingly disposed off.
7. As Ms. Padmashri Rote is appointed to represent Respondent No.2 through legal-aid, professional fees of Rs.10,000/- be paid to her.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)