

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3081 OF 2025
IN
CRIMINAL APPEAL NO. 860 OF 2025**

Rajendra Bapu Wayal	...Applicant
Versus	
The State Of Maharashtra	...Respondent

Mr. Umesh H. Pawar for the applicant
Mr. Anand S. Shalgaonkar APP for the Respondent-State.

**CORAM : SHIVKUMAR DIGE, J.
DATE : 17th DECEMBER, 2025.**

P.C.

1. By this application the applicant is seeking suspension of sentence imposed by the learned Additional Sessions Judge, Malshiras vide Judgment and Order dated 28th July 2025 in Sessions Case No. 24 of 2018.

2. It is contention of learned counsel for applicant that applicant has been convicted for offence punishable under Section 307 of the Indian Penal Code and is sentenced to suffer rigorous imprisonment for 3 years and fine of Rs. 5000/-, in default of payment of fine, to suffer simple imprisonment for 3 months. He is also convicted for offence punishable under Section 323 of the Indian

Penal Code and sentenced to suffer rigorous imprisonment for 6 months and fine of Rs. 1,000/-, in default to suffer further rigorous imprisonment for 15 days. He is further convicted for offence punishable under Section 504 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for 6 months and fine of Rs. 1,000/-, in default to suffer further rigorous imprisonment for 15 days. He is further convicted for offence punishable under Section 506 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for 1 year and fine of Rs. 2,000/-, in default to suffer further rigorous imprisonment for 1 month.

3. It is contention of learned counsel for applicant was on bail during the trial. He has not misused the liberty. Hence, requested to allow the application.

4. It is contention of learned APP that prosecution has proved the case beyond the reasonable doubt. The Trial Court has passed well reasoned order and no interference is required in it. Hence, requested to reject the application.

5. I have heard both learned counsels, perused impugned Judgment and Order. The applicant was on bail during the trial and has not misused the liberty. Sentence imposed on him is short term

sentence. It may take time to dispose of the appeal and 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, Malshiras vide Judgment and Order dated 28th July 2025 in Sessions Case No. 24 of 2018 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 Sessions Judge, Malshiras.
- V. The application is disposed off accordingly.

(SHIVKUMAR DIGE, J.)

IRESH
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