

Nikita

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

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL INTERIM APPLICATION NO.3532 OF 2025
IN
CRIMINAL APPEAL NO.817 OF 2021**

Jaydeep Raju Chavan

...Applicant

versus

The State of Maharashtra

...Respondents

.....

Mr. Rupesh Jaiswal for the Applicant.

Mr. Pankaj Deokar, APP for the State.

.....

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

DATE : 16th OCTOBER, 2025.

P.C:

1. Heard learned Counsel for the Applicant and learned APP for the State.
2. This is an application for suspension of sentence and enlarging the Applicant on bail. The Trial Court by judgment and order dated 6th March, 2021 convicted the applicant along with eight other accused for the offence punishable under Section 147, 148, 302, 352, 120(b), 149 of the Indian Penal Code, 1860 in Sessions Case No.120 of 2014. Applicant is the Accused No.1 and other eight accused have been enlarged on bail. The main role of the assault on the victim is attributed to the accused No.3 Riyaz alias Kalya Sadaru Desai, who has been

enlarged on bail on 29th February, 2025 passed by this Court in Interim Application No.2306 of 2023. The ground on which the accused No.3 was released on bail was that he has undergone more than 10 years of incarceration. The role attributed to the present applicant is that he has participated in the assault and was responsible for the assaulting the victim with stone.

3. Applicant is in custody since 3rd February, 2014. For the same reasons, as in Interim Application No.2306 of 2023 enlarging the accused No.3 on bail, in view of the guidelines issued by the Hon'ble Supreme Court in the case of Saudan Singh Vs. The State of Uttar Pradesh in Criminal Appeal No.308 of 2022 [@SLP(Crl.) No.4633 of 2021] dated 25th February, 2022 and the view expressed in case of Suleman Vs. The State of Uttar Pradesh in Criminal Appeal No.491 of 2022 (arising out of SLP (Crl.) No.1451 of 2022 dated 25th March, 2022, the applicant is entitled to be released on bail during the pendency of the appeal. Hence the following order:

- (i) The Applicant be enlarged on bail on furnishing PR. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (ii) The Applicant shall report to the trial Court, once in three months on the day/date specified by the Trial Court, till the appeal is finally disposed of.

(iii) The Applicant shall keep the trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time.

(iv) If there are two consecutive defaults in appearing before the trial Court, the learned Judge shall make a report to the High Court and the prosecution would be at liberty to file an application seeking cancellation of bail.

(v) The Application is allowed in the aforesaid terms subject to the Applicant depositing the fine amount as directed vide the impugned Judgment and Order dated 6th March, 2021 passed by the learned Sessions Judge, Kolhapur.

4. The Application stands disposed of.

[SHARMILA U. DESHMUKH, J.]

[M.S. KARNIK, J.]