

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

INTERIM APPLICATION NO. 3566 OF 2025
IN
CRIMINAL APPEAL NO. 224 OF 2024

Ashok Vasant Patil,
At present in Ratnagiri Open Jail.

...Applicant.

Versus

The State of Maharashtra.

...Respondent.

Mr. Ranjit H. Patil for Applicant.

Mr. A. A. Naik, APP for the Respondent-State.

Coram : M. S. Karnik &
Ajit B. Kadethankar, JJ.

Date : November 13, 2025.

P. C. :

1. Heard learned Counsel for Applicant.
2. This is an application for suspension of sentence and enlarging the Applicant on bail during the pendency of above criminal appeal.
3. Learned Counsel for Applicant submitted that Applicant was arrested on 18th November 2015. Applicant has now put in 9 years and 10 months in custody. Present Applicant is original Accused No.1 in Sessions Case No. 49 of 2016. The Applicant is the main assailant who assaulted the deceased with sword.

4. Learned APP opposed the application. He submitted that there are multiple injuries inflicted by the Applicant on deceased. It is submitted that trial Court has recorded a categoric finding that Applicant is guilty of offence on the basis of statement of two eye witnesses. It is, therefore, submitted that appeal itself be listed for final hearing.

5. Appeal is of the year 2024 and considering the pendency of criminal appeals in this Court, it is unlikely that the present appeal will come up for final hearing in the near future. Applicant is in custody for more than 9 years and 10 months. Considering the long incarceration of Applicant and as the appeal is not likely to come up for final hearing in near future, we are inclined to suspend the sentence and release the Applicant on bail during the pendency of above criminal appeal..

6. In the light of above, we pass following order :

[a] The sentence imposed on Applicant by learned Sessions Judge, Sangli vide judgment and order dated 25th August 2022 passed in Sessions Case No. 49 of 2016 shall remain suspended till the final disposal of Criminal Appeal No. 224 of 2024.

[b] The Applicant be released on furnishing bail in the sum of Rs.50,000/- with one or more solvent sureties of like amount in connection with Sessions Case No. 49 of 2016.

- [c] Till the Criminal Appeal No. 224 of 2024 is disposed of, the Applicant shall report to the Trial Court on the 1st Monday of every month commencing from December 2025. The Applicant shall furnish his address and contact details to the trial Court.
- [d] The Applicant shall attend this Court when appeal is listed for final hearing.

7. Application stands disposed of.

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]