

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

**INTERIM APPLICATION NO. 3091 OF 2025
IN
CRIMINAL APPEAL NO. 875 OF 2025**

Shakil Munna Tamboli

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Adv. Sukumar Ghanavat a/w Mr. Abhay A. Jadhav, Advocate for the Applicant.

Mr. S. H. Yadav, A.P.P., for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 26th AUGUST, 2025.

P.C. :

1. This is an application for suspension of sentence and bail.
2. Heard learned counsel for the Applicant and learned APP for the Respondent – State.
3. The Applicant has been convicted by the learned Additional Sessions Judge, Gadhinglaj, for the offences punishable under Section 307 of the Indian Penal Code, 1860 (for short, “IPC”) and sentenced to suffer Rigorous Imprisonment for 7 years and pay fine amount of Rs.5,000/-.

4. It is contention of learned counsel for the Applicant that during the trial the Applicant was on bail and he has not misused his liberty. Applicant is behind bar for more than eight months. Hence, requested to allow the application.

5. The learned APP for the Respondent – State strongly objected to allow the application on the ground that the Applicant has been convicted under Section 307 of the IPC. If he released on bail, he may abscond. Hence, requested to reject the application.

6. I have heard both learned counsel. During the trial, the Applicant was on bail and he has not misused his liberty. The maximum sentence imposed on the Applicant is of 7 years. The Applicant is behind bar for more than eight months. It may take time to conclude the trial as Applicant has not misused his liberty during trial when he was on bail.

7. In view of the above, I pass following order:

ORDER

- i. The substantive sentence imposed on the Applicant in C.R. No. 40 fo 2018, in terms of the order dated 27th December, 2024 passed by the learned Additional Sessions Judge, Gadhinglaj, is suspended till final

disposal of the appeal.

ii. The Applicant be enlarged on bail on furnishing P.R.

Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.

iii. The bail bond to be furnished before the trial Court.

8. In view of the above, the application stands disposed of.

9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)